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Mississippi
Journal

JOURNAL

OF THE

SENATE

OF THE

STATE OF MISSISSIPPI.

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SENATE JOURNAL

At a regular session of the Legislature, convened at the Capitol, at Jackson, on Monday, the 7th day of November, 1859, in compliance with the Constitution of the State, and the laws in conformity therewith, and in the sovereignty of the State the 43d, and in the 84th year of the Independence of the United States of America.

Be it remembered, That, on the day and year aforesaid, being the time and place for the assembling of the Legislature of Mississippi in conformity to the Constitution and Laws of the State.

The Senate was called to order by Hon. George H. Gordon, Senator from Wilkinson, Adams and Amite.

On motion of Mr. Gordon,

Hon. Simeon Oliver, of DeSoto, was called to the chair as President *pro tem.*, for the purpose of organization.

On motion of Mr. Ellett,

Fleet T. Cooper, of Lawrence, was appointed Secretary *pro tem.*, to assist in the organization of the Senate.

Upon a call of the roll, the following Senators holding over, appeared in their seats :

Messrs. Brasier, Buchanan, Catchings, Covington, Drane, Ellett, Enloe, Harris, Howry, Mason, McCord, Neill, Oliver, Starke, West and Wilson.

The oath of office was then administered to the following newly elected Senators :

Hon. C. L. Buck, from the District composed of the city of Vicksburg and the county of Warren.

Hon. J. B. Chrisman from the District composed of the counties of Lawrence and Pike.

Hon. J. R. Davis, from the District composed of the counties of Madison and Scott.

Hon. G. H. Gordon, from the District composed of the counties of Wilkinson, Adams and Amite.

Hon. Geo. Huie, from the District composed of the counties of Leake and Attala.

Hon. Robert McLane from the District composed of the counties of Clarke, Jasper and Wayne.

Hon. L. Mims, from the District composed of the county of Hinds.

Hon. J. B. McRae, from the District composed of the counties of Hancock, Harrison and Jackson.

Hon. I. M. Quin, from the District composed of the counties of Rankin and Smith.

Hon. W. J. Rankin, from the District composed of the counties of Marion, Covington, Jones, Perry and Green.

Hon. J. M. Thompson, from the District composed of the county of Chickasaw.

Hon. J. E. Talliaferro, from the District composed of the counties of Coahoma, Panola and Tallahatchie.

Hon. J. M. Siminton, from the District composed of the county of Itawamba.

On motion, the Senate proceeded to the election of a President.

Mr. Gordon nominated Hon. James Drane, of Choctaw,

And moved that he be elected President of Senate by acclamation.

Which motion was adopted, with two dissenting voices, Messrs. Starke and West.

On motion, the Senate proceeded to the election of Secretary.

Mr. Covington moved that Mr. Fleet T. Cooper, of Lawrence, be elected Secretary of the Senate by acclamation.

Which motion was adopted.

The Senate then proceeded to the election of Door-keeper.

Mr. Gordon moved that Mr. Wm. B. Cavanaugh, of Lowndes county, be elected Door keeper by acclamation.

Which motion was adopted.

Mr. Ellett moved,

That a committee of two be appointed to wait on Hon. James Drane, of Choctaw, and inform him of his election as President of the Senate, and conduct him to the chair.

Which motion was adopted.

Whereupon, the President *pro tem.* appointed on said committee, Messrs. Ellett and Gordon.

Whereupon, the committee proceeded to discharge the duty assigned them, and lead Mr. Drane to the chair.

After being lead to the chair by the committee, Mr. Drane, before taking his seat, in a neat and appropriate manner returned his thanks to the Senators for the high honor they had done him by again electing him as their presiding officer.

After which, the oath of office was administered to him by the President *pro tem.*, when he took his seat and declared the Senate ready for business.

The oath of office was then administered to Mr. Fleet T. Cooper as Secretary of the Senate.

After which he entered permanently upon the discharge of his duties as such.

The oath of office was then administered to Mr. Wm. B. Cavanaugh as Door-keeper.

Whereupon, he entered upon the discharge of the duties of his office.

Mr. Ellett offered the following resolution,

Which was read and adopted.

Resolved, That the Secretary inform the House of Representatives that the Senate has met and organized by the election of the Hon. James Drane, of Choctaw, as President, Pleet T. Cooper, of Lawrence, as Secretary, and Wm. B. Cavanaugh, of Lowndes, Door-keeper, and is now ready to proceed to business.

On motion of Mr. Thomson,

The Senate adjourned until 3 o'clock P. M.

THREE O'CLOCK P. M.

The Senate met pursuant to adjournment.

The following message was received from the House of Representatives, through their Clerk, Mr. Brougher, viz.

MR. PRESIDENT :—

I am instructed to inform the Senate that the House of Representatives has organized by the election of Hon. J. A. P. Campbell, of Attala, as Speaker, C. A. Brougher, of Tippah, as Clerk, and A. B. Coffee, of Hinds, as Door-keeper, and are now ready to proceed to business.

The House has passed the following joint resolutions, in which the concurrence of the Senate is requested

Resolved, (the Senate concurring,) The two Houses meet in the Representative Hall, on to-morrow at 11 o'clock A. M., for the purpose of electing a Sergeant-at Arms.

Resolved, (the Senate concurring,) That a committee of five on the part of the House, and ——— on the part of the Senate, be appointed to wait on the Governor, and inform him that the two Houses are now organized, and ready to receive any communication he may desire to make.

Committee on the part of the House,

Thomas of Yazoo,

Mathews of Lowndes,

Ellis of Panola,

Dunlap of Marshall,

Scales of Carroll.

On motion of Mr. Howry,

The message just received from the House was taken up.

On motion of Mr. Howry,

The joint resolution of the House proposing to hold a joint convention of the two Houses in the Hall of the House on to-morrow at 11 o'clock A. M.,

Was read and concurred in.

On motion of Mr. Howry,

The second joint resolution in said message, appointing a committee of five on the part of the House, and blank on the part of the Senate, to wait on his Excellency, the Governor, and inform him that the two Houses have met and organized, and are now ready to receive any communication he may have to make to them,

Was read,

And the blank in said resolution filled with the number three, and the resolution concurred in.

The President appointed as said committee on the part of the Senate,

Messrs. Howry, Buchanan and Brasier.

Mr. Ellett asked and obtained leave to introduce.

A bill to be entitled,

An act in relation to toll-bridges in the county of Claiborne.

Which was read the first time.

On motion of Mr. Ellett,

The rule was suspended, the bill read the second and third time by title, and passed.

Ordered, that the title thereof stand as stated.

Mr. Neill offered the following resolution,

Which was read and adopted.

Resolved, That the Senate will adopt for its Government during the present session, the "Rules of the Senate" which were adopted and used for the government of its deliberations in 1858.

Mr. Ellett offered the following resolution,

Which was read and adopted.

Resolved, That the Daily Mississippian, Eagle of the South, Vicksburg Whig, and Sun, be ordered by the Secretary for the members of the Senate during the session.

Mr. Howry, from the committee appointed to wait on his Excellency the Governor, and inform him that the two Houses have met and organized, and are now ready to receive any communication he may have to make,

Made the following report.

MR. PRESIDENT ;—

The committee on the part of the Senate appointed to wait on his Excellency, the Governor, and to inform him that the two Houses are organized and ready to receive any communication he may have to make,

Report that they have performed the duty assigned them, and that the Governor instructed them to say that he would transmit a message in writing to the two Houses forthwith.

Which was received and agreed to.

Mr. Oliver gave notice that on to-morrow he will ask leave to introduce,

A bill to legalize the minutes of the Probate Court of DeSoto county, during a portion of the official term of Hon. John W. Vance, late Judge of said county.

The following message was received from his Excellency, the Governor, through his Private Secretary, Mr. Echols :

EXECUTIVE OFFICE, }
City of Jackson, Miss., Nov. 7th, 1859. }

MR. PRESIDENT :—

I am instructed by his Excellency, the Governor, to communicate the enclosed message.

Mr. Neill moved,

That the message just received from the Governor be taken up.

Which motion was adopted.

On motion of Mr. Howry,

The reading of said message was postponed until to-morrow morning at 10 o'clock.

On motion of Mr. Enloe,

The Senate adjourned until to-morrow morning 10 o'clock.

TUESDAY, Nov. 8, 1859.

The Senate met pursuant to adjournment.

The Journal of yesterday was read.

Mr. Starke moved to amend the journal in relation to Mr. Gordon's motion for the election of Hon. James Drane, by acclamation, so as to make it read—"adopted with two dissenting voices, Messrs. Starke and West,"

Which was adopted.

Mr. Gordon offered the following resolution,

Which was read and adopted :

Resolved, That the Door-Keeper be directed to procure and furnish each member of the Senate a copy of the Revised Code, to be used during the present session of the Legislature.

Mr. Howry moved that the Governor's Message be taken up and read.

Which motion was adopted, and the message read as follows :
— Pending the reading of the Governor's Message,
— The following message was received from the House, through their Clerk, Mr. Brougher,

MR. PRESIDENT—

The House of Representatives has passed the Senate bill entitled,

An act in relation to toll bridges in the county of Claiborne.

The House of Representatives has instructed me to inform the Senate, that the Hall of the House of Representatives is now ready for the reception of the Senate, to the end that the two Houses go into joint convention for the purpose of electing a Sergeant-at-Arms.

GOVERNOR'S MESSAGE.

Senators and Representatives of the State of Mississippi:

It is with heartfelt pleasure, that I congratulate you on the domestic and social prosperity of our beloved State. A kind Providence has blessed us in the past and present seasons, with the most abundant harvest. Plenty abounds in every portion of the State, and the most ample rewards compensate labor in every department of industry. And good health, the greatest earthly blessing, has generally prevailed; no epidemic, nor malignant form of disease has appeared among us. For these blessings we should, as a people, be devoutly thankful; for they are all the gift of that God in whose hands are the fortunes of men and nations.

FEDERAL RELATIONS.

By the Constitution it is made my official duty to recommend to your consideration "such measures as I deem necessary and expedient." In the performance of this trust, I will first call your attention to our Federal Relations, which are now, or are apparently about to become of a most alarming and dangerous character. If I could, consistently with my duty, avoid this question, I would assuredly do so; for in magnitude and importance, it swallows up all others. I approach it with a deep sense of the responsibilities of my position, and the mighty issues which it involves. In this view, I pledge myself to you, and to my country, only to recommend such measures as I deem most urgently necessary and expedient. It is the interest of my country, as well as of your country, that is to be considered. It is the home of my wife and of my children, as well as of your wives and of your children; and here is all that I have, and all that I am, and all that I can ever be. These are the pledges which I bring of my love of country—the hostages which I offer for my fidelity to the Constitution and the Union.

As the measures which I have thought it my duty to recommend, are of a most decisive character, and may involve the most portentous consequences, it is due to the occasion, that I should endeavour to shield myself and my motives from the assaults of those who may differ with me in opinion; for I am fully aware that those measures will be assailed by some, as looking to a dissolution of the Union. But I differ in opinion with those who think

thus; and aver that the measures which I have recommended, are conservative in their character, and involve the only remaining chance for the preservation of the Union—I mean, of course, the Union of co-equal sovereign States, such as our fathers left us, and such as the Constitution properly understood and carried out has made us—and not a Union of superior and inferior States—a governed and governing section. I do not believe that there is any Mississippian who *per se* either desires or seeks a dissolution of the Union, provided his rights of person and of property can be protected under it; while I equally hope, that there are none so base, as to tamely submit to a violation of their personal and constitutional rights. For myself, I can truly say, that if on this earth I have one object of Idolatry, it is to be found in my devotion to the constitutional Union. There never has been one day in my existence, in which I did not feel ready to defend it at any peril—even that of life itself. I fully appreciate its value. With it are associated all the glorious recollections of the past, the prosperity of the present, and our hopes for the future; and no man can more earnestly desire its preservation than I do. And my recommendations are made upon a full conviction, that in their adoption is to be found the only means by which it can be preserved. In the contingency contemplated—that is, the election of an Abolition President—the issues which I propose must be made and met. The dangers to the Union are not to be found at the South, but at the North. The position of the South is entirely defensive. The aggression and sectional agitation exists only in the non-slaveholding States. We have no sectional organization; but, on the contrary, seek, by every means in our power, to make our action national. We assail no northern institution of any description whatever; nor have we the power or the will to do so. Such has been our devotion to the Union, that from the earliest existence of the Government, up to the present time, our course has been one of constant concession to the North. Even before the adoption of the present Constitution, we yielded up all of the North-Western Territory, (an empire of itself,) from which the free States of Ohio, Indiana, Illinois, Michigan and Wisconsin have been formed. Again, in 1820, we gave up all of Louisiana north of latitude 36, 30, to the unjust demands of the northern States. Again, upon the acquisition of Texas, we yielded up to the same line of 36, 30, and in addition to all this, the North, in 1850, seized upon all of California, which, with the previous possession of Oregon, has given to her the entire Pacific coast. All this we have done and submitted to, in the spirit of fraternity, for the sake of peace, and the Union. How different the conduct of the North. She has shown both the power and the will for our assailment. This has been manifested upon the admission of Missouri, which was delayed for two years, owing to a clause in her Constitution permitting slavery. Again, upon the admission of

Texas. Again, in seizing upon all of California, though nearly one half of it lay south of the Missouri Compromise line. And also in her continued agitation of the slavery question for the past twenty-four years, and her present efforts to effect a sectional, anti-slavery organization, by which to elect an Abolition President, for which no earthly motive can be assigned, but that of hostility to us and our institutions. This (the Presidency) is the last and only department of the Government from which we have any hope of protection. Will not the election of an Abolitionist to the Presidency, on a purely sectional issue, make it full time to ask ourselves the question, what will be our situation with such a result accomplished? There is, or can be but one answer, and that is, that we are a conquered people. Yes, as much a conquered people as if we had been subjugated by the sword. It is true that the form and mockery of voting, and sending members to Congress will still be allowed to us, but of what real value will this be? What good will we derive from the fact of having members there, who, on all questions affecting our interests, must forever vote in a minority? This would be to us no protection whatever; and would be a position of degradation to which no man who was worthy to represent you, could or would stoop. On such conditions you could only be represented by some heartless, soulless wretch, who would, at all times, be ready to sell, or betray your interests, for the enjoyment of some petty office, which no Abolitionist wanted. You would then be in the exact condition in which the British Government proposed to place your Fathers before the Revolution. That Government then offered to the Colonies representation in the British Parliament in proportion to numbers. The men of the Revolution with Washington at their head, indignantly rejected the proposition. And why? Because such representation would have been but nominal—not real. Such a representation would have been a helpless, hopeless minority, who could have been of no real service to their constituents. If you are willing now to accept, or submit to such a position, all the blood of the Revolution was shed in vain. It was for you, that your Fathers submitted to all the toil and danger and death of a seven years' war. They conquered for your liberty and independence. It is your duty to transmit it unimpaired to your posterity.

I am aware that there are some persons, even at the South, who do not take so strong a view as I do of the consequences likely to result from the election of an Abolitionist or Black Republican to the Presidency. But how they reason to such a conclusion is past my finding out: or how they can find it in their hearts to submit to a position so degrading, is beyond my comprehension. If they would but ask themselves the question, what influence or participation they will have in the Federal Government after the election of a Black Republican, or abolition President? they would be satisfied. For they could receive but one answer, which must be, you

are a conquered people, and stand to your Government as Ireland does to that of great Britain, or Poland to that of Russia.

You will perceive that I use the term Abolitionist and Black Republican as synonymous. Is not this correct? Both parties are sectional in their organization. They have one common bond of union; which is the anti-slavery fanaticism of the North, which has its origin in hostility to you and your institutions. The rabid abolitionist, in my opinion, is the least dangerous of the two. He is open and bold in his attacks—defiant of all laws human and divine—while the Black Republican is more wary in his approaches, and more insidious in his attacks—he erects his batteries—he plants his guns and draws his lines of circumvallation around you, and will flatter you with professions, until he is prepared to demand your unconditional surrender. This demand he will assuredly make, so soon as he has elected the President. He will then be in the full possession of the Government. And rely upon it, that he will soon thereafter cry “havoc and let slip the dogs of war,” unless you shall be fully prepared to defend yourselves and your institutions.

Are not these apprehensions fully justified by the sayings and doings of the Abolition party? They have no bond of union, but in their hostility to slavery: and without it, to bind them together, they could not exist as a party for one day. In fact they would not be a party. For in a political or philosophical sense, a party is any large number of the citizens of a nation, who in consequence of a concurrence of opinion on political questions, unite in their action, for the purpose of carrying out their opinions in the administration of the Government. Now I would ask on what political questions do the members of the Black Republican party agree or concur except in that of slavery, as it exists at the South—and the determination by every means, which they can compass, to seek its overthrow? That party is composed of the Abolition party, of the greater part of the Old Whig party, the American party, the Free-Soil party and a large portion of the heretofore Democratic party. Now what concurrence of opinion can, possibly, exist in so heterogeneous an organization. They have no public policy, or common principles, by which they propose to administer the government—and I greatly doubt if any position can be found outside of the slavery question, or spoliation of the South, upon which they would be found to agree. Then, when you thus see, to what an extent this anti-slavery sentiment over-rides and masters all others, have you not reason to fear for your institutions, in the event of the election of an Abolition President? What but the most rabid fanaticism can induce Whigs, Democrats, Abolitionists, Free Soilers and Americans to unite with the black Republican party—who, with William H. Seward at its head, and as its mouth-piece, has declared, that the conflict on the slavery question is irrepressible, and that slavery must be abolished in the South or it must and will be

established at the North, and who, so as to be rid of all constitutional difficulties, has proclaimed a higher law—a law of conscience, which is superior to the decrees of the Supreme Court, and paramount to the Constitution? The Supreme Court in the Dred Scott case has said that on the question of slaves and other property in the Territories, or elsewhere: “The only power conferred (by the constitution upon Congress) is the power coupled with the duty of guarding and protecting the owner in his rights.” The Abolitionists and Black Republicans deny the correctness of this decision. And though made by the Supreme Court of the United States, the tribunal of last resort; and beyond which there is no appeal but to the sword, refuse to us the protection which it establishes—and are unwilling to administer the Government upon its principles. But on the contrary, affirm, that it is the duty of Congress to prohibit slavery in the Territories, and with the least possible delay, to abolish it everywhere. They assume that the slavery question is irrepressible, and act upon this proposition. If this be true; the continuance of the Union is an impossibility, and the sooner dissolved the better for all parties.

But not only has the Abolition party absorbed the old Whig party at the North, but also the Free-Soil and American party, and it is also to be feared that it has to some extent demoralized if not destroyed the Democratic party there. It has introduced a new idea into the creed of a portion of the party. And which idea is but another evidence of the tremendous power of the Northern Abolition sentiment. This new idea is that there is a power in a Territorial Government which either by non-action or hostile legislation can exclude slavery from the Territories. And this they affirm, and propose to do, in the very teeth of the decision of the Supreme Court of the United States, and in defiance of the Constitution of the Union—for the decision of the Supreme Court has removed all questions as to our right to enter the Territories with our slaves, under the protection of the Constitution.

Those who hold this doctrine admit that Congress cannot intervene, or legislate, for the purpose of excluding slavery from a Territory, or for its introduction there. This is true, but they then go on to say that the Territorial Legislature may do so either by non-actional or hostile legislation; and this they affirm in defiance of the Supreme Court, which says that Congress has no power to exclude slavery from a Territory, nor can it confer such power on a Territorial Government. I would ask how it is possible for a Territorial Government, it being but the creature of the Federal Government, with no inherent power of sovereignty, to exercise such power in defiance of the Court and the Constitution? It is simply an absurdity to suppose such a case. But say our opponents, it may be true that we cannot keep you out by prohibitory legislation, but we can do so by refuting all legislation, thereby

entirely denying protection to your slave property. They appear to forget that there are sins of omission as well as those of commission, and that a failure to protect slave property in the Territories, would be such sins ; because the right being secured to us to go there under the constitution, and the decision of the court. Can it be that a Territorial Legislature, by non-action can nullify a constitutional right, already adjudicated by the Supreme Court to every citizen of the slave-holding States? This the Territorial Legislature could not do without being guilty of the most gross dereliction of duty ; as each member of the Legislature takes an oath to support the Constitution of the United States ; and it would be supporting it with a vengeance, were they to refuse to protect slave property, expressly with the view of depriving fifteen of the sovereign States of the Union of their just rights under that instrument, thereby intervening to exclude slavery from the Territories.

It is a part of the system of the advocates of this doctrine to get rid of this question by the slang phrase of "it is idle to expect Congress or the Territorial Legislature to spend all their time in making a slave code for the South." This allegation is unworthy of those who make it. It is an appeal to vulgar prejudice. The South has never any more asked for a slave code, than she has asked for a land code. The same law that protects one species of property will protect another, and all that we ask is not to be discriminated against. That is, if you make it a crime to steal money, a horse, or a cow, make it also a crime to steal a negro—or if you allow cows, horses or other property to go into the territories, and provide for them legal protection, do the same for negro property. This idea is a new one. When in times past, in Congress, we have talked of or made compromises—and affirmed the doctrine of non-intervention by Congress—all that was ever meant by the South or any one else was that we would never ask the aid of Congress to legislate slavery into any Territory. In other words we agreed to leave the question of right to the Supreme Court of the United States. This is apparent by all that was said and done at the time of the attempted Clayton compromise. It was equally apparent at the adoption of the compromise measures of 1850, and was part and parcel of the Kansas and Nebraska bills. That is, we agreed that if the court should adjudicate to us the right to go to the Territories with our slaves, then at our pleasure, we would exercise that right. But on the contrary if the court should decide against our right (though it might be against our convictions) that we would acquiesce in, and abide by such decision. But how any man can have the hardihood to assert, or the folly to believe, that the South ever made a compromise, by which she agreed that even though the question of right under the Constitution, should be settled by the Supreme Court in her favor, that notwithstanding she agreed to be excluded by the

practical working of this doctrine of squatter sovereignty, is at least marvellously absurd. I venture the assertion that at the time of the adoption of the compromise measures of 1850, no single member of Congress ever thought of any other result, than that if the Supreme Court decided the question of right in favor of the South that in that event the right would be fully recognized and carried out by the Federal Government. And that on the contrary, if the court should decide adversely, that she would acquiesce in such decision. There was no question then, between the North and the South, but that of the right. No one then had the hardihood to go further than to deny our right to go to the Territories with our slaves, or to affirm the power of Congress by the Wilmot proviso to exclude us from them. It was left for these latter-day politicians to discover that there were other means of interdicting slavery in the Territories, even in defiance of the decision of the court and the obligations of the constitutional compact. This results from the teaching of the higher law—and is in direct conflict with all that men once thought just and honest. The idea that there is a power in a Territorial Legislature paramount to the Constitution, when expounded by the court, is so great an absurdity that I am at a loss to determine how it ever found a lodgment in the mind of any sane politician. I aver that the only questions ever heretofore at issue between the North and the South were, had the South the right to take her slaves into the Territories, or had Congress the power to prohibit the exercise of such right? Both these questions have been decided in favor of the South. And still a very large majority of the Northern people deny to us the peaceable enjoyment of this right, and under various pretences seek to exclude us from the Territories, and thereby to defeat the provisions of the Constitution and the decisions of the court in our favor. The court in the Dred Scott case has decided that we cannot be excluded by any power from the Territories, and that when there, it is the duty coupled with the obligation of the government to protect us in the enjoyment of our rights. Is this not manifestly a proper decision of the question? The court affirms our right to enter the Territories, and the correctness of the decision is admitted thus far by the advocates of territorial sovereignty. Is not this admission fatal to their conclusion, and to their entire doctrine of squatter sovereignty? They admit the right to enter as secured by the Constitution, but they deny a remedy for the invasion of that right; or in other words, they deny the obligation of either the Territorial Government or of Congress to protect that right. This is an abuse of terms. Every legal right must have its corresponding legal remedy, or means of maintaining that right. The right can exist but through the remedy. It would be an absurdity to say that I had a right to a house of which I was an occupant, but that notwithstanding such right, if I should for one hour leave such house, and it should be

entered by another who took and retained possession thereof, that I had no remedy, or means by which to assert my right, by putting such trespasser out and regaining the possession. It is an abuse of language to use the term right in such a connection. Every right must have a corresponding remedy, consequently if I have the right to enter the Territory with my slaves, I am entitled to protection there. It is the remedy that makes the right. It may come from the Territorial Government, but if it fail to extend it, then it would be the duty and obligation of the Federal Government to give it, or to see that it is given. It has always appeared to me to be absurd to suppose that there could be any place I could fail to be protected, in person and property, where no flag did fly but that of my country, and where there was no jurisdiction but that of my own government. It is a contradiction to suppose such a case. But our opponents admit, and no one can deny the jurisdiction of the Federal Government over the Territories to the extent of the protection to property. And we all admit that no flag can fly there but that of the stars and stripes. And still under this flag, and this jurisdiction, we are to be denied protection. The doctrine is monstrous.

I am apprehensive that there are some, though I hope not many; even in the South, who, in the event of the election of an Abolition President, will be opposed to making a direct issue with the North. The only apology or explanation I can give for such conduct, is that "they know not what they do." Their course leads either to unconditional submission, or the entire abolition of slavery, with the utter ruin of the South; or a dissolution of the Union. For they must see, that the state of feeling between the North and the South, from year to year, is becoming more and more hostile. They cannot shut their eyes to the fact, that we are rapidly, at least in feeling and opinion, becoming two separate people. The lines of separation are almost daily becoming broader, and deeper, and darker; and such is now the *overshadowing* power of the abolition sentiment at the North, that the man must be willfully blind, who does not see the dangers that menace us and our institutions. Massachusetts, and other Northern States, have already withdrawn the allegiance of their citizens from the Federal Government, by visiting them with pains and penalties for obedience to the fugitive slave law. The time will then have come, (I fear it will have passed,) when an issue may be made, that may settle the slavery question, consistently with our rights, and the preservation of the Union. I would, in all candor, ask those who are opposed to making a direct issue, and who say to us, "wait for some overt act," what other act of aggression by the North, can ever equal this in extent and enormity? By it we will be degraded from the position of equality in the Union, we will be denied all participation in a Government that will be called ours; and the non-slaveholding States will claim to legislate for

us in all cases whatsoever, having relation to federal affairs. By it we will be deprived entirely of the power of self-protection, and will hold all our rights and privileges by sufferance ; and we will be as effectually subjugated, as if conquered by the bayonet—we will be slaves—for then we will be governed by others against our will, and in direct violation of our constitutional rights. If this will not justify an issue, or even resistance, what will ? I repeat, that no other act of aggression can ever equal this in extent and enormity. The abolition of slavery in the District of Columbia, the prohibition of the slave trade between the States, or our exclusion from the Territories, sinks into insignificance when compared with this. By it you will be made hewers of wood and drawers of water for the North. For you need not to flatter yourselves with even the hope, that the entire overthrow of the institution of slavery, will ever again restore to you equality in the Union. No, the North, having once secured to herself the whole power of the Government, will so arrange the revenue laws, by a system of indirect taxation, as to throw upon the South the entire burthen of the taxes necessary to the support of Government; while she will take to herself all its bounties and benefits. She will protect her own labor, while she will tax ours. This will enrich the North, while it will destroy the value of all labor at the South ; that of the free white man, as well as that of the negro slave. The Abolitionist however, in his anxiety to emancipate the negro, has no possible objection to enslaving the white man. No doubt one cause of northern hostility, arises from the fact that we have heretofore resisted, and to some extent defeated, such a system of legislation, which it has been her constant endeavor to force upon the South.

I again affirm that no other act of aggression can ever equal that of a purely sectional majority, taking the entire possession of the Government. This covers all others—this is the great act in the drama ; it is a revolution accomplished, and the other measures necessary to the subjugation of the South, and the overthrow of slavery, and all our other rights of person and property, are but resulting consequences, to be administered to us, from time to time, as the state of northern opinion, and southern submission may appear to justify. Probably the first step will be to abolish slavery in the District of Columbia. The next will be to exclude you from the Territories, and then to abolish the slave trade between the States, by declaring such trade to be piracy. And these will be followed by, or mixed with, a regular system of legislation in favor of northern navigation, northern commerce, northern fishing bounties, and high protective tariff in favor of northern manufactures ; so as utterly to destroy the value of all southern labor, both slave and free, for it is impossible by legislation, to injure the one without like injury to the other. Such has ever been government, wherever unrestrained power has been entrusted to hu-

man hands. This would be to the South, practically, a dissolution of the Union, so far as benefit is concerned. It would leave to us only the burthens of government ; we would have to pay the taxes, and fight the battles of the country, but would be as powerless in the imposition of those taxes, or in making war, in this Government, as we are in reference to that of Great Britain.

I submit to you, gentlemen, whether or not, the organization of our Government on a sectional basis is not a dissolution of the Union, *per se* ; a fact accomplished. It will not only be a Government of the North, and for the North, but even worse than this, it will exist on a basis of hostility to us and our institutions. It will be sectional and aggressive in its organization and character, instead of being federative and protective as our fathers made it.—Are not these the consequences likely to result from the present state of Northern opinion, as evidenced both in her religion and her politics? There is on this subject but one idea in the non-slaveholding States—that is Abolitionism. It, like Aaron's rod, has swallowed all others. It is taught by her public press—it is taught from the pulpit—it is taught in the schools and colleges—it is taught in the forum and from the hustings—it controls all elections and all legislation. A large portion of the Northern people are mad upon this subject ; and guided by what they call a higher law, they are prepared to trample compacts and constitutions in the dust ; when they interpose for the protection of Southern rights. Is not this manifested by the effect already produced in the Methodist, Missionary Baptist, New School Presbyterian and Congregational Churches? These churches represent the opinions of a majority of the people both North and South ; and they are rent asunder. And why? Because the Northern branches are too holy to have communion with the Southern branches of said churches. The religious Union is dissolved, and I leave it to you to say, whether or not the election of a Northern President, on a sectional issue, and that a hostile one, is not practically a dissolution of our political union, and the formation of a Northern confederacy. The churches have ceased to act together in union because of antagonistic views on the slavery question. This is religious or church disunion. On the election of a sectional President we of the South and the North will cease to act together in the Union. Is this not political disunion? We cannot shut our eyes to the fact that the North by electing a sectional, Abolition President, will have usurped and consolidated in her own hands all the power of government ; and will thereby have practically expelled us from the Union ; in fact it will be kicking us out of the Union as unworthy of their association—unless as serfs and servants.

In this view of our position on the election of an Abolition President, will it not be time “to put our house in order” and be prepared to carry out fully, the following resolution of the Democratic party of this State, which party represents an overwhelming ma-

majority of the people? That is "Resolved, That in the event of the election of a Black Republican candidate to the Presidency, by the suffrages of one portion of the Union only, to rule over the whole United States, upon the avowed purpose of that organization, Mississippi will regard it as a declaration of hostility, and will hold herself in readiness, to co-operate with her sister States of the South, in whatever measures they may deem necessary for the maintenance of their rights as co-equal members of the confederacy."

For the purpose of being prepared for the contingency provided for by the foregoing resolution, I would recommend as necessary and expedient, that you, by your legislation, should make it the duty of the then Governor, in the event of the election of a Black Republican to the Presidency of the United States in November, 1850, to issue his Proclamation ordering an election for delegates to a State Convention, to be holden on the first Monday of December next thereafter, and that said delegates be appointed to assemble at the Capitol, in the city of Jackson, on the 3d Monday of the said month of December, 1860, for the purpose of adopting such measures as may meet the exigency of the occasion.

I would further recommend, that you should adopt resolutions inviting the other Southern States, to co operate with the State of Mississippi in the adoption of such measures as may be necessary for the maintenance of their and our rights, as co-equal members of the confederacy. This is all, that for the present, I would recommend to be done. But as the time has come at which the public mind should be strongly directed to the difficulties and dangers of our position, and the remedies for the same, I would suggest that in my opinion, in such event as the meeting of a Convention or Congress of the Southern States, we ought to insist upon new constitutional guaranties for our protection. This should be a *sine qua non*. It is absolutely necessary to our security. The North will then, under the forms of our present Constitution, have the entire power and control of the Government; we will be utterly powerless. As men, or as patriots, can we submit to this? No! We must have the power of self-protection. The simplest and most practical form in which this can be obtained, would, in my opinion, be by an amendment to the Constitution, requiring that no law affecting the institution of slavery, or imposing indirect taxes, should ever be enacted, unless it should receive a majority of the votes of the Senators from the slave-holding States. This would lead to no new elections, nor to the creation of any new office, nor does it disturb the present organism of the Government. This much, to my mind, is due to our own self-respect, and the preservation of the liberty of the citizen. It is not only a principle of our own Government, but also of that of Great Britain, from which ours is in part derived, that taxation and representation must be united, and it was the denial of this principle, on the part of the mo-

ther country that led to the revolution. If we submit, to the organization of a purely sectional Government, without some amendment of the Constitution, such as I have suggested, the Northern majority will have the unlimited power of taxation, not only without our consent, but against our most strenuous opposition—and by a system of indirect taxation under our present Constitution, will have the power to throw the whole burthen of the Government upon the South, and all the teaching of history, and all the experience of the past warn us that this would be done. Man is as prone to abuse power as sparks to fly upwards. To this, we cannot, and we will not submit. The present Constitution has apportioned direct taxes to representation, and upon this point we are secure, so far as a written Constitution can make us, and therefore, we ought only to ask or seek protection against indirect taxation, and this we must have in the event apprehended, for I repeat that the election of a Black Republican to the Presidency, by an organized sectional majority, is a practical dissolution of the Union; and the overthrow of our present Constitution. It is the separation of the North (nationally) from the South, and the formation of a new confederacy, composed entirely of the Northern States, and that too, for the avowed purpose of the oppression and plunder of the South; thereby putting us out side of the pale of the Union—will it not then be time for us to demand new guarantees? Will they not be indispensable? To us, the proper solution of this question is vital. It involves the security not only of more than \$4,000,000,000 of property, but also, our social institutions, the safety of our families and our continued political existence, while to the North it involves no pecuniary interest, no social institution nor has it in truth any real existence there, except in a morbid Philanthropy, or vapid fanaticism. Under these circumstances, have we not the right to demand the amendment to the Constitution which I have suggested, or some other which will give to us the power of self protection? And if such amendment should be refused, does not our interest, our safety and self respect require of us, to adopt some decisive measure, by which this question will be brought to an issue? With this view, in the event of a Black Republican or Abolitionist being elected to the Presidency, I would suggest that a Convention of the Southern States, should throw open all the Southern ports, making them free to the commerce of the world—thus putting the burthens of this new Northern Confederacy, upon the Northern people. This would be but just, as the Government would be of the North, and for the North; consequently they ought to support their own Government. In addition to this, it might be politic, as a measure of warning, to impose a duty of 25 per cent. on all articles of Northern manufacture. (About the present rate of duty on foreign manufactures.) This would teach the Northern people, what the Union is worth to them in money, even if they cannot be made otherwise to appreciate its importance. The mon-

eyed value of the Union to the non-slaveholding States is incalculable. For instance, with the Union, no portion of the earth is more prosperous than Massachusetts—without the Union none could be less so, than she would be. The grass would grow in the streets of Boston, her manufactories would stop—her commerce would perish, and her ships would rot at her wharves, and widespread ruin would cover the State. I presume that it will be said of such a measure, that it is a dissolution of the Union. This is not necessarily so, unless the North shall choose to make it so, by a refusal of our just demands; so far from being an act of disunion, it will be conservative of the Union; and only preliminary to a possible dissolution, in the event that the North should be deaf to all the appeals of justice, and indifferent to the ties of consanguinity and patriotism. It would be intended to arouse the Northern mind to the consequences of their conduct, and to warn them that the fatal gulf of disunion was before them. It would be resistance to tyranny, for the preservation of liberty, the great object of the Union. The North has already taught us that every violation of or resistance to the law is not disunion, or if it be so, then the Union is dissolved already. The North resists and violates the fugitive slave law; she resists and violates the territorial rights of the South, as settled by the highest tribunal of the country. If upon the adoption of these, or similar measures, the North should still refuse to us the power of self protection, it would be conclusive evidence that the overthrow of our institutions, and the destruction of our property, was her object. If she should deny this much to us in the Union, it would be full time that by all the means in our power, we shall provide for our own security. But my belief and hope is, that if even then, we should make a decided issue, that the North will yield to our demands, and give to us that which is of inestimable value to us, but of no earthly importance to her, unless for our oppression. The North too well understands the value of the Union to herself, to lightly sacrifice it, and it will then be for her to decide the question of Union or disunion. If she desires the Union, the terms will be easy—we ask but equality. No, not equality, but simply the power of self protection against hostile and unconstitutional legislation. The Union will then be in the power and keeping of the North; if she wills it, nothing is easier than to retain it; but, if she shall choose to dissolve it, by a refusal of our just demands, and by making war upon us and our institutions, the blame and the ruin will be at her own door.

I deeply deplore the necessity which will exist in the event of an Abolitionist being elected to the Presidency, for the assembling of a Convention of the Southern States, and for the adoption of such measures as those I have suggested; but the South has no choice, between the making up of some such issue, or a dissolution of the Union. I have thought it better to give the Union another chance for life. Secession or disunion is death, while a refusal to

pay taxes, (or resistance to the revenue laws,) is but a violent disease, from which the body politic may recover. Depletion of the Treasury may do good. It, at least, is worth trying, before any final act of disruption to the Union. It will give time for new compacts or guaranties, which ought to be made. What possible objection can the North have to giving us such security, unless she intends our assailment under the forms of the Constitution, by action of the Federal Government? The refusal would be equivalent to a declaration of such intent, and ought to be met accordingly.

It may be said that to impose a tax of 25 per cent. on the manufacturers of the North will be revolutionary and unconstitutional. This may be true, but if true, revolution already exists, and the covenants of the Constitution are already broken—and as against the people of the South, the people of the North can have no just cause of complaint. We will only be doing, for the purpose of defense, that which they have already done in the arrogance of power under the influence of a wild fanaticism. I would ask, if I am passing through one of the Northern States with my slave, or if he should be there, and I should go there to reclaim him, what greater right have the authorities there to take such slave out of my possession than the authorities here have to take from the Yankee peddler his cargo of wooden clocks? There is no difference. My slave is as much my property as the clock is the property of the peddler. And the Northern States have no more jurisdiction over the slave, than the Southern State has over the clock. Also some of the Northern States in defiance of the Constitution, have made it a penitentiary offence to go into them to reclaim a slave. If they have the right thus to confiscate our property, and to imprison our person, most unquestionably we have the same right, as to their persons and their property. The Constitution of the United States makes no difference between slaves, and other property. If the foregoing statement be correct, have we not the right to meet revolution (if it even be revolution) by counter revolution. Or, have the Northern people any right to expect of us a strict adherence to the Constitution, whose covenants they have already broken. Our action also will find a justification in the fact that it will be entirely defensive, while that of the North is aggressive, ours too will be intended to be conservative of the Union, while theirs is directly the contrary. Our action would have for its object the arousing of the Northern mind to a proper sense of the dangers that menace our common country, and of the fatal gulf into which it is about to be plunged—the gulf of anarchy and blood. It is for the North to cease this eternal agitation of the slavery question; and in connection with it the general assailment of the South, if they ever expect or desire, that we shall continue to be of the same household.

The measures I have suggested may by some be thought to be too strong, but in my opinion they are the mildest that can be offer-

ed with any hope of curing the disease—the whole body politic is sick, and homœopathic medicines will do no good. I would ask if we are bound by a strict adherence to technicalities, when the forms of our government are being perverted to our destruction—and while our enemies trample under foot the Constitution of our Country, and deny to us the protection which it was intended to guarantee. The Constitution was made (to use its own language) “in order to form a more perfect Union.” On the occurring of the contemplated contingency—that is the election of a Black Republican to the Presidency—we will be divided and sectionalized. Further, it was made “to establish justice and ensure domestic tranquility.” It will then be made the instrument of the most flagrant and gross injustice to the South; and the whole purpose, and consequence of this agitation is intended to disturb our domestic tranquility and security. It was also made “to provide for the common defence, to promote the general welfare, and to secure the blessings of liberty to ourselves and our posterity.” It will then be made the means of our assailment instead of our defence. And so far from being used for the general welfare, it will thereafter be used for the benefit of a section and against the general welfare. It will be organized on the express ground of hostility to nearly one-half of the States of the Union, and instead of securing to ourselves and our posterity the blessings of liberty, it will be made the unwilling instrument of our subjugation. The object of the Abolition government if ever inaugurated, will be to excite a servile and civil war, and to destroy, directly and indirectly more than \$4,000,000,000 of Southern property, and the overthrow of the whole framework of our social and political organization. Under such circumstances, can it be expected of us to fold our hands and await our doom? No! We must, and will demand, and obtain, security in the Union, or provide for ourselves out of it. Nor can we be justly charged with any want of patriotism by a withdrawal of our allegiance from a government, the declared object of which will be our destruction; nor by a refusal to pay taxes to it, when those taxes are to be used for our subjugation. If we are to remain in the Union, (which is my most earnest desire) it is our right; it is our duty to ourselves, and our posterity, to do so only as equals. We never have asked aught of the government but our rights. I trust that we will never voluntarily take less. We must have equality in the Union, and the power of self-protection under the forms of the Constitution, or we must seek and find such security and equality for ourselves as a separate people. We can never agree to hold our rights at or by the sufferance of a sectional, hostile majority; nor can we ever agree that any other people shall forever have the power to legislate for us in all cases whatsoever, and to tax us at their will and pleasure—God forbid.

It may here properly be asked if the South, in the event of a dissolution of the Union, has the power and wealth and numbers necessary to a separate government? I answer emphatically yes! We would be the strongest and richest and most prosperous nation that has ever existed with 10,000,000 of inhabitants. We would be able to defend ourselves, against any nation upon the earth—and slavery and the productions of slave labor would be the great element of our strength. We could command more soldiers than we would ever need, and we could pay them and support our government with but little if any addition to our present import duties, while the Northern States would have to support their government, and armies, by direct taxation—while their people would be impoverished by the want of an outlet for their agricultural products, and manufactures, and the destruction of their commerce.

I however trust and hope that the necessity for the experiment of separate governments, North and South, may never occur, and that a kind Providence may so direct the misguided people of the Northern States as to bring back the old brotherly feeling of the revolution—when men from the North and from the South stood shoulder to shoulder upon the battle-field, nobly struggling for that liberty and nationality, which their descendants are now apparently about to destroy. I yet have hope in the preserving care of that God who has thus long protected and prospered us as a people, and that he may even now find a means by which to preserve our nation from the madness of Northern fanaticism. He has told us that “a house divided against itself cannot stand,” and that “our worst enemies are those of our own household.” Then let us trust that he may yet lead the Northern mind to cease the agitation of these questions about which we can never agree, and that he may “say to the North give up, and to the South keep not back.” We are all compelled to see, and feel and know that such interposition is necessary; for the North and South are rapidly becoming alien to each other, and that in such conflict of opinion, not only our hopes, but the hopes of mankind must perish. It is for us to establish the fact of man’s capacity for self-government, or the contrary. The experiment can never again be made under circumstances so favorable as those now operating upon us. Consequently it is our duty to drain the cup of forbearance to the very dregs, before we resume those powers which as a sovereign State we have granted to the Federal Government for our protection. Acting thus we will be justified to ourselves, and before the world; and it is possible that we may yet disappoint the mad hopes of fanatics, and falsify the predictions of despots, by continuing to be a free, united and happy people. That God may grant this is my prayer.

MILITIA.

I now call your attention to our militia laws, and I recommend the restoration of the law as it is to be found in the Revised Code,

chapter 34, excepting articles 39, 50, 51, 52 and 53, section 4, and also excepting the proviso of article 199, sec. 11, chapter 34.

By an act of the Legislature of 1858, the law requiring company, battalion, and regimental musters, was repealed, and the result has been (as was to have been expected) an entire disorganization of the militia. This is a state of things that ought not to exist in any free government. Every free people should at all times be prepared to defend their institutions. I consider the right to bear arms and the courage and will to use them, as being the most reliable guarantee of Liberty. And to us as a State, under existing circumstances, such organization is absolutely necessary. I would therefore recommend to you to increase the salary of the Adjutant General, so that he may be enabled to devote the necessary time to such organization. I refer you to my message of 1858, upon this subject, and also as to the office of Quarter Master-General, with a view of providing a salary for that officer. I would also urge upon you in view of our Federal relations, the propriety of providing for the arming of the militia of the State, particularly the volunteer companies. The mouth of a cannon and the glitter of steel are arguments of power much stronger than those of the brain. It is my duty as prescribed by law, "to cause a report of the strength and condition of the militia to be laid before the Legislature at each session thereof." This is impossible; as there are no materials from which to make up such a report. It is also my duty by law, "to call out the militia to execute the laws of the State, to suppress insurrection, or to repel invasion." If a necessity should arise for the performance of this duty, it would be found to be impracticable in the present condition of our military organization. In my opinion, it is assuming too much in favor of human perfectibility, to act upon the hypothesis that no such necessity will arise. Men are much the same in every age and nation, and the universal experience of mankind has been that the coercive power of the Government is often necessary to the preservation of the laws. This has been recently manifested in the atrocious Abolition outbreak at Harper's Ferry, and which might as readily have occurred in Mississippi as in Virginia.

PARDONING POWER.

The pardoning power is the most delicate, difficult and painful duty of the Executive. This power is given by our Constitution, and is a part of every civilized government, and of course under proper circumstances should be exercised. The consideration of applications of this nature, requires a large amount of labor at the hands of the Executive, as his decisions involve great responsibility. This labor I have performed, and the responsibility I have not shunned. I have endeavored, as I promised in my inaugural address, "firmly to execute the laws giving to each and every citi-

zen the same measure of justice and of mercy." I have tried to maintain the sanctions of the law, but at the same time to temper justice with mercy. I have done that which under a full view of all the circumstances of each case, I believed to be right. I think that I have "done "justice and loved mercy." I have endeavored to avoid all influences, other than those connected with the merits of the case. But I do not claim infalibility, and would be unwilling to admit that I possessed that stoicism of either heart or mind, which could be deaf to the appeals of the wife, the daughter, mother or father—and I trust that Mississippi may never have a Governor who can boast of such mind or heart. I have endeavored to avoid giving any undue weight to such influences; but I have no doubt, that in some cases my judgment may have been strongly influenced to pardon by the happiness which I knew would result therefrom to a mother, wife or daughter, or other anxious relatives and friends. But I am not aware that the sanction of the law has been weakened by any pardon that I have granted—nor that the State has sustained any injury therefrom—while I know that in many cases great happiness has been given to wives, mothers, sisters, daughters and fathers. I have acted upon the principle, or rather, have endeavored to assume for the State the position, that we should forgive as we expect to be forgiven. And though an act of pardon may be one purely of grace, I have always looked to the peculiar circumstances of each particular case and done that which, in my judgment was proper. I have also, in every case where I have granted a pardon, required that the conduct of the convict should have been habitually good while in the Penitentiary. I have done this for two reasons; one of which was to aid, thereby, the Superintendent in the government of the institution—having early in my administration given it to be understood in the Penitentiary, that no application for a pardon would be considered unless accompanied by a certificate of good conduct from the Superintendent. The other reason was, that those who would not behave well in the Penitentiary, were very certain not to do so out of it. I think this has been of service, and has obtained generally better conduct on the part of the convicts. I have in most cases pardoned those who have behaved well in the Penitentiary, and who were desirous of such pardon a few days before the expiration of their term of service, thereby restoring them to citizenship; and hoping to furnish a motive to a better life for the future. Many of the pardons which I have granted have been of this character.

I am aware that a good deal has been said during my administration of the facility with which pardons have been obtained. But in my opinion, if you will visit the Penitentiary, you will there see more convicts than are creditable to the State. And if you will look to the criminal records and see the numbers that have been fined, imprisoned or hung during my administration, you will find but small cause of complaint.

I have not made the foregoing remarks as an excuse or apology for any short-comings on my part; for what I have done, I have done understandingly; with a full knowledge of all the facts and circumstances of each particular case, and I still believe that I have done right. But be this as it may, in all doubtful cases I would prefer to be found on the side of mercy—for I had assuredly rather be censured for being over merciful than to be praised for over severity or cruelty. I have this object in what I have said on this subject. That is to recommend to you the passage of a law, making it the duty of the Governor to communicate to the Legislature at its regular sessions, the number of pardons which he has granted and his reasons in each case for the same. This is now the law in some of the States, and I think it will have a salutary effect. This would make the Governor more considerate in the granting of pardons, and in addition would give to him the opportunity of being heard—which might prevent that indiscriminate censure which is now heaped upon him for nearly every pardon that he may grant. This censure is all wrong; when without a knowledge of the facts and influences which have been brought to bear upon the Governor, and can have none other but a bad effect. If he should be a man of feeble will, he might refuse to pardon in cases when it was his duty to do so—and if he were self-willed, he might assume a defiant position and pardon in cases where he ought not. In any case it is embarrassing to a just conclusion on the part of a public functionary.

RAILROADS.

I would call your attention to our Railroads, by saying that they are approaching their completion as rapidly, or even more rapidly than could have been anticipated one year past. The Mississippi Central Road, of 200 miles in length, is now nearly entirely finished, except the laying of the iron rails for 20 miles, and the longest time I have heard given for this to be done is the first of January. It is also thought that the Mobile and Ohio, and the Southern, and the Mississippi and Tennessee Railroads, will all be completed in the course of next year—and the New Orleans, Jackson and Great Northern Railroad is completed 206 miles, to Canton, and the grading is nearly finished for 26 miles North of Canton, in the direction of Aberdeen, and the surveys are being made for the purpose of making further contracts for grading. This road has met with considerable loss and delay in its ability to extend, owing to its overflow by the Mississippi, in consequence of a crevasse in the levee on the river. This injury has, however, been repaired and the road is in good working order and in the realization of a large income.

So far as I am informed and believe, the investment made in these roads by the State, and also the moneys loaned to them, are

entirely secure. These roads, with their branches, and with that portion of the Memphis and Charleston Road, which passes through Tishomingo county, will give to the State over 1,000 miles of Railroad that will be completed in the year 1860. And upon the completion of the New Orleans, Jackson and Great Northern Road, and the Gulf and Ship Island Road, we would have near 1,400 miles of road, which would, with the various navigable streams, give to the people of the State great facilities for travel and the transportation of produce, and are probably as many as at present would be desirable. Within the past year the Gulf and Ship Island Railroad Company have raised the amount of private subscription of stock, which was necessary to the organization of the Company. They have elected a Board of Directors who have had different routes surveyed with a view to the final location of this road, and to the securing of the appropriation of land made by Congress in aid of its construction. There is, apparently, a very strong feeling in the popular mind, as expressed by the press and public men of the State, in favor of the construction of this road. If this feeling be real, it will be your duty, as the representatives of the people, to adopt such measures for the giving of material aid to its completion as the case may require, for the road unquestionably cannot now, or in any short period, be made by individual or private capital, but must have State aid. It passes over a poor portion of the State, where the population is sparse, and where private capital has not accumulated. The road, however, if constructed, would give great value to the pine forests through which it passes, and further it will give to us independence and nationality; by building up, on our own Gulf coast, a commercial city that will have one of the finest harbors on either the Gulf of Mexico or Atlantic ocean. We are now dependent upon, and tributary to, the cities of Mobile and New Orleans, both for a market to sell or buy in, and it is very desirable that the profit of this trade should, if possible, be realized by our own citizens; it would also give to us a choice of markets. If the construction of this road should be ever accomplished, our pine forests would be rendered more valuable than the mines of California. They abound with the finest timber in the world, particularly for masts; and the gathering and manufacture of turpentine and tar, and rosin oil is one of the most profitable departments of labor. But a large portion of this, without a road, is valueless; while with a road it would be of great value. If the effect upon the value of the lands from this road, should be as great as anticipated, the increased taxes that would be paid upon it, would, probably, be sufficient to pay the interest upon the money that would be required from the State in aid of its construction. I might, for the purpose of proving the correctness of this suggestion, refer you to the effects of Railroads in the Northwest, where it is said that the increased value of property has been six times the whole cost of the roads, but I need not go out of the State to prove

the wonderful effect of roads in increasing the value of property, as appears from the Auditor's report of 1858. The effect has been an increase of over one million of dollars in several counties in this State. It is for you, the immediate representatives of the people, to determine the question of State aid. I have no hesitation to say that as one of the people, I am willing to pay my quota of taxes towards such aid. I would refer you, on this subject, to my message of November, 1858.

171,550 50-100 acres of land have been located and set apart by the Federal Government to aid in the construction of the Southern Road, it will be necessary for you to pass the usual acts of legislation for the purpose of vesting the title to this land in the Southern Railroad Company.

UNIVERSITY.

At the last session of the Legislature there was a joint resolution adopted appointing the Hon. Alexander H. Arthur, of the Senate, a Commissioner to examine and report fully upon the present condition of the Seminary fund. Since that time Mr. Arthur has resigned his seat in the Senate, and also the appointment of Commissioner of said fund. Soon after the resignation of Mr. Arthur, I wrote to the Hon. James M. Howry, requesting him to undertake and perform the duties which had been assigned to Mr. Arthur, as Commissioner, so that you might be put in possession of the information which you had expected to receive through Mr. Arthur. I did not consider that, officially, I had the power to make an appointment to fill the vacancy occasioned by the resignation of Mr. Arthur, but I thought it best to make the request of Mr. Howry, (who was of the Senate as Mr. Arthur had been,) in a semi-official manner, knowing that the information was necessary to any final action in reference to the Seminary fund; and I was aware that Mr. Howry had as much or more knowledge on this subject as any other person. If I should receive a report from Mr. Howry I will transmit it to you, with the expression of the hope that you may approve of what I have done in the premises, and that his labors may lead to a final adjustment of the Seminary fund. This is very desirable, as it is of the last importance that the University should be put upon a permanent basis, and that the Board of Trustees should be able to adopt some well considered course of policy in reference to the future and permanent usefulness of the Institution. This they cannot do unless upon some reliable pecuniary basis. I would, therefore, recommend, as necessary and expedient, that you should fund the University debt, at some fair and liberal rate of interest, putting the same under the control of your present very able and faithful Board of Trustees—who have already done much for the success of the Institution and who, I have no doubt, are ready and willing to

continue in well doing. I have, for the last two years, been officially, the President of the Board of Trustees, and it gives me pleasure to inform you that I have never seen any body of men more anxious to promote the object of their appointment, or more laborious and faithful in the performance of their official duty. But it is not necessary that I should say anything on this point: "Their works testify of them." I have no hesitation in pronouncing the University an honor to the State—and I greatly doubt if any other Institution in the United States has so rapidly risen to eminence—it is now but eleven years old—and I am satisfied that no Mississippian has any necessity to send his son abroad for educational advantages. The young man who cannot be made a scholar at Oxford would not be likely to succeed elsewhere, for here is a most able faculty, a good library and a philosophical apparatus, and a chemical laboratory that is not surpassed anywhere. I trust that every parent who has a son to educate will inform himself as to the advantages to be found at Oxford before sending him from the State to be educated.

It is the purpose of the present Board of Trustees, so soon as their pecuniary means will permit, to give to this Institution the more substantial attributes of a University—and to have post graduate classes, in which young men may be thoroughly instructed, in any and all the higher departments of science—so as fully to prepare them both practically and scientifically for future usefulness and eminence.

In my message to the Legislature, in 1858, I suggested that so soon as the means could be procured, it should be made the duty of the Trustees to engraft a Normal School on the University, for the purpose of educating teachers for the common schools of the State. This I still think ought to be done. Thus making the University the great fountain of knowledge, but not to confine it there, but to provide the means, by the instrumentality of teachers to be furnished by the Normal School, and the graduates of the University, by which the streams of knowledge may be made to flow into and irrigate every county of the State.

COMMON SCHOOLS.

I would call your attention to the necessity of appointing a Superintendent of the Common Schools of the State. This office is so absolutely necessary to any system of public education, that I do not deem it necessary to argue the question, or to press it upon your attention, further than by suggestion. Nearly, if not quite, every other State in the Union has such an officer, and I have no doubt of the great benefit that would result from the appointment. I urged this measure upon the last Legislature, but the legislation necessary to carrying it into practical effect was left among the unfinished business of the session, which you are aware

was a short one, and was also a called, or extra session. I trust this matter will receive your attention, as it would be useless to attempt any educational system without such an office. And that you should promote the education of the people by every means in your power, is not a debatable question. We all know that Democratic institutions rest upon the basis of the intelligence and virtue of the people, and you, as legislators, should remember that when you are building up a system of Common Schools for the general diffusion of knowledge, by which the masses are to be taught to read and write and cipher, &c., so as to conduct the ordinary affairs of life. That in addition to this, you are giving security to life and property, and elevating and ennobling the moral and intellectual character of the people, and thereby widening and deepening and securing the foundations of Democratic liberty, and making men wiser and happier, and better in this world, and preparing them for a future and better state of existence. These are considerations which appeal to you as patriots, philanthropists and Christians, and cannot fail to command your best services in favor of popular education, for the want of proper moral and intellectual culture, almost as certainly produce vicious habits, as substances produce shadows.

THE JUDICIARY.

I would recommend to your consideration, the propriety of increasing the salaries of our Judges—the Attorney General, and District Attorneys. My reason for this is the present very great expense of living, and also that the present low salaries are not sufficient compensation for the high and important services required of those officers. The effect of a continuation of the present rate of compensation will be ultimately to deprive the State in the different Districts, and Circuits, of the services of many of our most eminent men. In my opinion, a seat upon the bench should be the aspiration of every lawyer, and the other legal offices ought to be sought after, as likely to lead to such a result. Such a state of things is desirable, as it would give to the people the widest range of selection, enabling them to command the services of the very ablest men of the State. This is not now always the case. Many lawyers will not sacrifice their pecuniary interest, by permitting themselves to be transferred from the Bar to the Bench.

By paying your Judges, and Attorney General and District Attorneys well, you will have an able Judiciary and Bar, and it will prove in the end to be true economy, by the saving of fees to witnesses and jurors, the expense of new trials, &c., &c. An able man will do more business in one week than an inferior man will do in two; and in addition to this, when once done, it will be done right, and will not be to be done over again.

THE PENITENTIARY.

You will learn from the report of the Superintendent, the situation of the Penitentiary. The enlargement of it, which was provided for by the last Legislature, has been attended to, and will require some additional appropriations to fully meet the expenses of the same. I would recommend that work already begun should be finished. But for the future, I would suggest a modification of the criminal code, so far as to inflict direct personal punishment on criminals for the smaller offences. I think it would be more likely to prevent crime. Now, the punishment often falls on the wife and children, as much as on the convict. And one of the most frequent appeals to the Executive for pardons, is that the wife and children greatly need the labor of the husband and father for their support—or that they have been rendered paupers by his confinement in the Penitentiary. I have no faith in Penitentiaries as places for the reformation of criminals; but on the contrary, they are rather schools for vice. They are very expensive to the State, and in my opinion, we have already incurred sufficient expense for the benefit of the thieves and other outlaws of the State; and that hereafter any money drawn from the people in the form of taxes, had better be applied to the education of the poor children of the State, by erecting school houses and employing teachers for their instruction—than to enlarging the Penitentiary and employing additional officers for the same, in deference to a morbid philanthropy which taxes honest industry for the benefit of felons. Let the people be educated, and you will have fewer convicts and your Penitentiary will be sufficiently large. Ignorance and vice generally go hand in hand.

THE LUNATIC ASYLUM.

The report of the Supervisors of the Lunatic Asylum, which I herewith send you will give you the necessary information as to the present situation of this institution, and I have the pleasure of saying to you that so far as I know and believe, the best possible care and attendance during the past year has been given to the health and comfort of the unfortunate inmates of the Asylum.

You will see from the report, that the appropriations have not been adequate to the support of the institution under the able and frugal administration of the present officers. This has arisen in the greater part from the fact, that the indebtedness was \$3,765 10, greater than was provided for by the last Legislature. In consequence of this, the Board of Supervisors had to borrow on their own credit the sum of \$5,000, or to close the institution.

I would recommend that for the future the commencement of the fiscal year for the Asylum should be the first of October.

And I would further recommend, that in addition to the ordinary

appropriations for the support of this institution, and there should be a contingent appropriation of \$5,000, to be drawn only upon the approval and requisition of the Governor. The necessity for this, arises from the fact that it is not possible to arrive, only by appropriation, at what will be the current annual expenses of the institution. And I presume that there is not one man in the State who would be willing to stint this, the wisest, best and greatest of all our charities.

I would urge specially upon your attention that portion of the report of the Board of Supervisors which asks for an appropriation for the building of a ward, or wards, for the accommodation of pay patients. There is no justice in putting the pay patients on an equality with the pauper patients. And it would be true economy to provide suitable accommodations for pay patients, or they will be sent to other institutions; whereas, if provided for here, they would greatly reduce the expenses of the institution.

THE AUDITOR'S AND TREASURER'S OFFICES.

The reports of the Auditor and Treasurer, in obedience to existing laws, will be made to you during the session. I have no doubt but that you will find their respective offices to have been ably and faithfully managed, under the very competent officers now at the head of each. In reference to them I have nothing to suggest, only that hereafter they and all the other officers of the State from whom reports are expected, should be required to make up such reports to the first of October of each year, and that they should furnish them to the Governor on or before the 15th of the same month, so that he may communicate them to the Legislature. And I would suggest that all such should hereafter be printed with and accompany the Governor's Message. This would add nothing to the cost of printing, and would give to them a much more permanent form for future reference, than if printed on separate sheets; and further, if this should be done, the first day of October should be made the commencement of the fiscal year of the State.

THE INSTITUTIONS FOR BLIND AND DEAF AND DUMB.

The reports from these Institutions will put you in possession of all necessary information as to their present condition and wants. They are most valuable and beneficent Institutions and are well entitled to the fostering care of the State, and are ably and faithfully managed by their present officers.

GEOLOGICAL AND AGRICULTURAL SURVEY.

I have not yet received the report of the State Geologist, but I

have no doubt but that it will be prepared and submitted to you early in the session, and from the great industry and superior ability of that officer, I feel well assured that it will prove satisfactory.

On this subject I would refer you to my message to the Legislature, in November, 1858, and submit to your consideration the recommendations therein made—still being of the opinion that they are necessary to the success and early completion of this great object—a geological and agricultural survey of the State.

Thus gentlemen, in the performance of my official duty, and under the sanctions of my oath of office, and with the consciousness that this may be the last important political act of my life, (for both my age and inclinations admonish me to seek repose,) I invite your attention to the measures herein recommended, with a full confidence that you, by your patriotism and wisdom, will mature them into such forms of legislation as may conduce to the best interest of our State and common country, and that a kind Providence may guide you to such a result, is, and will continue to be my most earnest prayer, for “except the Lord build the house, their labor is but lost that build it.”

WILLIAM McWILLIE.

The following message was received from the House, through their Clerk, Mr. Brougher :

MR. PRESIDENT—

The House of Representatives has passed the following joint resolution, in which the concurrence of the Senate is desired :

Resolved, [The Senate concurring,] That the Hon. A. G. Brown be invited to address his fellow-citizens on national politics, and that a committee of three on the part of the House, and ——— on the part of the Senate, be appointed to notify him of this resolution.

Committee on the part of the House,
Messrs. Matthews, Wilson and Sanders.

On motion of Mr. Starke;

The Senate, with the President and Secretary, proceeded to the Hall of the House.

The President announced the object of the assembling of the joint convention of the two Houses, to be the election of a Sergeant-at-Arms.

Mr. Oliver, of the Senate,
Moved that the election be conducted *viva voce*,
Which motion was lost.

Mr. Bell, of the House,
Moved that the election be conducted by ballot,
And that two tellers be appointed to conduct the same,
Which motion was adopted.

The President appointed as said tellers,
Messrs. Bell, of the House, and Wilson, of the Senate,
Mr. Sanders, of the House,
Nominated Mr. J. J. Williams, of Holmes.

Mr. Henly, of the House,
Nominated Mr. John D. Howard, of Harrison.

Mr. Duncan, of the House,
Nominated Mr. J. J. Denson, of Scott.

Mr. Mason, of the Senate,
Nominated Joel L. Reece, of Tishomingo.

The joint convention then proceeded to ballot for Sergeant-at-Arms.

Whereupon the first ballot resulted as follows :

Mr. Williams received.....	41	votes.
Mr. Howard “.....	11	“
Mr. Denson “.....	31	“
Mr. Reece “.....	38	“
Whole number of votes cast.....	121	“
Necessary to a choice.....	61	“

No person having received a majority of all the votes cast, the joint convention proceeded to a second ballot,

Which resulted as follows :

SECOND BALLOT.

Mr. Williams received.....	42 votes.
Mr. Howard ".....	7 "
Mr. Denson ".....	32 "
Mr. Reece ".....	39 "

Whole number of votes cast.....	120 "
Necessary to a choice.....	61 "

No person having received a majority of all the votes cast, the joint convention proceeded to a third ballot as follows :

Mr. Howard's name being withdrawn.

THIRD BALLOT.

Mr. Williams received.....	43 votes.
Mr. Denson ".....	41 "
Mr. Reece ".....	39 "

Whole number of votes cast.....	123 "
Necessary to a choice.....	62 "

No person having received a majority of all the votes cast, the joint convention proceeded to a fourth ballot as follows :

FOURTH BALLOT.

Mr. Williams received.....	38 votes.
Mr. Denson ".....	45 "
Mr. Reece ".....	37 "

Whole number of votes cast.....	120 "
Necessary to a choice.....	61 "

No person having received a majority of all the votes cast, the joint convention proceeded to a fifth ballot as follows :

FIFTH BALLOT.

Williams received.....	28 votes.
Denson ".....	58 "
Reece ".....	37 "

Whole number of votes cast.....	123 "
Necessary to a choice.....	62 "

No person having received a majority of the whole vote cast, the joint convention proceeded to a sixth ballot as follows :

SIXTH BALLOT.

Mr. Williams received.....	16 votes.
Mr. Denson “	67 “
Mr. Reece “	37 “

Whole number of votes cast.....	120 “
Necessary to a choice.....	61 “

Mr Denson having received a majority of all the votes cast, the President of the Senate declared that he was duly and constitutionally elected Sergeant-at-Arms for the term prescribed by law.

The oath of office was then administered to Mr. Denson by the President of the Senate and he entered upon the discharge of his duties.

The joint convention having accomplished the object for which they assembled, the Senate withdrew to thier chamber, and were called to order by the President.

On motion of Mr. Catchings,

The House message was taken up,

And the joint resolution therein reported, appointing a committee of three on part of the House and — on the part of the Senate, to wait on Hon. A. G. Brown, and invite him to address his fellow-citizens on the political topics of the day,

Was read and concurred in.

On motion of Mr. Catchings,

The blank in said resolution was filled with the number two.

The President appointed as said committee on the part of the Senate,

Messrs. Catchings and Huie.

Agreeable to notice given on yesterday, Mr. Oliver introduced, A bill to be entitled,

An act to legalize a portion of the minutes of the Probate Court of DeSoto county,

Which was read the first time.

On motion of Mr. Oliver,

The rule was suspended and the bill read the second time by its title.

On motion of Mr. Ellett,

The further consideration of said bill was postponed until 10 o'clock to-morrow.

Mr. McCord offered the following resolution,

Which was read and adopted :

Resolved, That the Auditor of Public Accounts be requested to furnish the Senate at his earliest convenience with a statement of

the warrants issued on the Treasury in favor of the Public Printer within the last four years.

On motion of Mr. Howry,

The Senate adjourned until 3 o'clock P. M.

THREE O'CLOCK P. M.

The Senate met pursuant to adjournment.

Mr. Gordon gave notice that he would, on to-morrow, or some subsequent day, introduce a bill,

To be entitled,

An act to amend the Constitution of this State in relation to the prosecution and trial of slaves in all criminal cases.

On motion of Mr. Mims,

The resolution requesting the Auditor to furnish the Senate with the amount of warrants issued on the Treasury in favor of the Public Printer,

Was reconsidered.

On motion of Mr. Howry,

The reading of the Governor's Message was resumed, and concluded.

On motion of Mr. Oliver,

Said message was laid on the table.

On motion of Mr. Howry,

2,000 copies of said message was ordered to be printed for the use of the Senate.

Mr. Ellett offered the following joint resolution,

Which was read the first time :

Resolved, by the Senate and House of Representatives, That the Sergeant-at-Arms be directed to prepay the postage on documents ordered by either House for the use of the members, and by them transmitted by the mail to the people.

On motion of Mr. Ellett,

Said resolution was laid on the table.

Mr. Oliver asked and obtained leave to introduce,

A bill to be entitled,

An act to amend an act entitled an act to provide for the punishment of crimes and misdemeanors.

Which was read the first time.

On motion of Mr. Oliver,

The rule was suspended and the bill read the second time by its title.

On motion of Mr. Buck,

Said bill was referred to the committee on the Judiciary.

On motion of Mr. Starke,

The Governor's Message was called from the table.

On motion of Mr. Starke,

That portion of said message which relates to Federal Relations,
Was referred to the committee on State and Federal Relations.
On motion of Mr. Starke,

That portion of said message which relates to the Militia,
Was referred to the committee on the Militia.

On motion of Mr. Starke,

That portion of said message which relates to the pardoning
power,

Was referred to the committee on the Judiciary.

On motion of Mr. Starke,

That portion of said message which relates to the University,
Was referred to the committee on the University.

On motion of Mr. Starke,

That portion of said message which refers to Railroads,
Was referred to the committee on Internal Improvements.

On motion of Mr. Starke,

That portion of said message which refers to Schools,
Was referred to the committee on Education.

On motion of Mr. Starke,

That portion of said message which refers to the Judiciary,
Was referred to a select committee of five.

The President appointed as said committee,
Messrs. Starke, Howry, Mims, Wilson and Oliver.

On motion of Mr. McCord,

That portion of said message which refers to the Penitentiary,
Was referred to the committee on the Penitentiary.

On motion of Mr. McCord,

That portion of said message which refers to the Lunatic
Asylum,

Was referred to the committee on the Lunatic Asylum.

On motion of Mr. West,

That portion of said message which refers to the Auditor's and
Treasurer's offices,

Was referred to committees on the Auditor and Treasurer's
offices.

On motion of Mr. West,

That portion of said message which refers to the Institution of
the Blind and Deaf and Dumb,

Was referred to the proper committees on said Institutions.

The following message was received from the House of Rep-
resentatives, through their Clerk, Mr. Brougher,

MR. PRESIDENT—

The House of Representatives have adopted the following joint
resolution :

Resolved, [The Senate concurring,] That the Sergeant-at-
Arms be and he is hereby instructed to make arrangements with
Mr. C. R. Dickson, Postmaster at Jackson, for the payment of

postage upon all public documents mailed by members of the Legislature and the officers of either House during the present session, and present his account to the committee on accounts for settlement ;

And have passed,

A bill to be entitled,

An act to repeal a certain act therein named, so far as the same applies to the town of Panola.

In which the concurrence of the Senate is desired.

On motion of Mr. Howry,

Said message was taken up and the resolution therein reported,
Was read the first time.

On motion of Mr. Oliver,

Said resolution was referred to a select committee of five.

The President appointed as said committee,

Messrs. Oliver, Ellett, Mason, Wilson and Enloe.

On motion of Mr. Taliaferro,

The resolution of the Senate upon the same subject was called from the table and referred to the same committee.

Mr. Taliaferro asked and obtained leave to call up a bill,

To be entitled,

An act to repeal a certain act therein named, so far as the same applies to the town of Panola,

Which was read the first time.

On motion of Mr. Taliaferro,

The rule was suspended and the bill read the second time by its title and passed.

Ordered, That the title thereof stand as stated.

Mr. Harris offered the following resolution,

Which was read and adopted :

Resolved, That the Librarian be instructed to have the necessary repairs made upon the locks and drawers of the desks of members in the Senate Chamber.

Mr. Catchings asked and obtained leave of absence for a few days.

On motion of Mr. Buchanan,

The Senate adjourned until to-morrow morning 10 o'clock.

WEDNESDAY, Nov. 9, 1859.

The Senate met pursuant to adjournment.

The Journal of yesterday was read.

The President announced the following standing committees :

JOINT STANDING COMMITTEES ON THE PART OF THE SENATE.

ON STATE AND FEDERAL RELATIONS,

Neill.....of Carroll.
Gordon.....of Wilkinson.
West.....of Holmes.

ON INTERNAL IMPROVEMENTS.

Harrison.....of Monroe.
Starke.....of Bolivar.
McRae.....of Harrison.

ON CLAIMS.

Mason.....of Marshall.
Wilson.....of Pontotoc.
McCord.....of Tishomingo.

ON THE PENITENTIARY.

Oliver.....of DeSoto.
Thomson.....of Chickasaw.
Harrison.....of Monroe.

ON LUNATIC ASYLUM.

Covington.....of Winston.
McLain.....of Clarke.
Mims.....of Hinds.

ON THE INSTITUTION FOR THE BLIND.

McLain.....of Clarke.
Howry.....of Lafayette.
Thames.....of Newton.

ON THE INSTITUTION FOR THE DEAF AND DUMB.

Huie.....of Leake.
Enloe.....of Neshoba.
Quinn.....of Rankin.

ON THE OFFICE OF AUDITOR OF PUBLIC ACCOUNTS.

Mims.....of Hinds.
Chrisman.....of Lawrence.
Wilson.....of Pontotoc.

ON THE OFFICE OF SECRETARY OF STATE.

Buck.....of Warren.
McCord.....of Tishomingo.
Rankin.....of Marion

ON THE OFFICE OF TREASURER AND STATE COMMISSIONER, AND
ON THE EXECUTIVE CONTINGENT FUND.

Thomson.....of Chickasaw.
Thames.....of Newton.
West.....of Holmes.

SENATE COMMITTEES.

ON THE JUDICIARY.

Ellett.....of Claiborne.
Neill.....of Carroll.
Gordon.....of Wilkinson.
Buck.....of Warren.
Thomson.....of Chickasaw.

ON FINANCE.

Huie.....of Leake.
Mason.....of Marshall.
West.....of Holmes.
Buchanan.....of Tippah.
Rankin.....of Marion.

ON EDUCATION.

Harris.....of Lowndes.
Wilson.....of Pontotoc.
McCord.....of Tishomingo.
McLain.....of Clarke.
Simonton.....of Itawamba.

ON ELECTIONS.

Wilson.....of Pontotoc.
Huie.....of Leake.
Enloe.....of Neshoba.
Brasier.....of Calhoun.
Thames.....of Newton.

ON COUNTY BOUNDARIES.

Catchings.....of Copiah.
 Chrisman.....of Lawrence.
 Quinn.....of Rankin.
 Covington.....of Winston.
 West.....of Holmes.

ON PROPOSITIONS AND GRIEVANCES.

Buchanan.....of Tippah.
 McRae.....of Harrison.
 Simonton.....of Itawamba.
 Rankin.....of Marion.
 McLain.....of Clarke.

ON THE MILITIA.

Taliaferro.....of Tallahatchie.
 Gordon.....of Wilkinson.
 Starke.....of Bolivar.
 Davis.....of Madison.
 Harris.....of Lowndes.

ON ENGROSSED BILLS.

Chrisman.....of Lawrence.
 McRae.....of Harrison.
 Simonton.....of Itawamba.

ON UNFINISHED BUSINESS.

Enloe.....of Neshoba.
 Brasier.....of Calhoun.
 Harrison.....of Monroe.

ON STATE LIBRARY.

Ellett.....of Claiborne.
 Harrison.....of Monroe.
 Harris.....of Lowndes.

ON ENROLLED BILLS.

Davis.....of Madison.
 McRae.....of Harrison.
 Chrisman.....of Lawrence.

ON PUBLIC BUILDINGS.

Starke of Bolivar.
 Mason of Marshall.
 Buchanan of Tippah.

ON THE STATE UNIVERSITY.

Howry of Lafayette.
 Harris of Lowndes.
 Neill of Carroll.

The following message was received from the House of Representatives, through their Clerk, Mr. Brougher,

MR. PRESIDENT—

The House of Representatives has adopted the following joint resolutions, in which the concurrence of the Senate is desired :

Resolved [the Senate concurring,] That the two Houses meet in joint convention, in the Hall of the House of Representatives, on Thursday, the 10th instant, at 11 o'clock A. M., for the purpose of counting the votes for Governor.

Resolved, [the Senate concurring,] That the two Houses adopt the Joint Rules of the last session as the Rules for their government for the present session.

The House of Representatives has passed a bill of the following title, viz :

An act to change the time of holding the Circuit Court of Tunica county.

Mr. Huie presented the petition of Lucius Q. Edwards, praying the Legislature to pass an act relieving him of his minority.

Which was read,

And on motion of Mr. Huie,

Was referred to a select committee of three.

The President appointed as said committee,

Messrs. Huie, Buchanan and Mason.

Mr. Huie presented the petition of T. Y. Britton and others, citizens of the county of Leake,

Praying the Legislature to pass an act for the relief of mechanics of the State,

Which was read,

And on motion of Mr. Huie,

Referred to the committee on the Judiciary.

Mr. Mims offered the following joint resolution,

Which was read the first time,

Resolved, by the Senate, [the House of Representatives concurring,] That both Houses proceed to the election of Librarian

State Reporter and Public Printer, on Friday next, at 11 o'clock P. M., within the Hall of the House of Representatives.

On motion of Mr. Chrisman,

The rule was suspended, the resolution read the second time and adopted.

Mr. Gordon gave the following notice :

MR. PRESIDENT—

I give notice that I will, on to-morrow or some subsequent day, introduce a bill to repeal so much of the 54th, 55th and 56th articles of section 8th of chapter XXXV of the Revised Code, as declare conveyances, donations, devises or bequests of property for religious or charitable uses or purposes forfeited or void.

Mr. McCord asked and obtained leave to call up the following resolution :

Resolved, That the Auditor of Public Accounts be requested to furnish the Senate, at his earliest convenience, with a statement of the warrants issued on the Treasury in favor of the Public Printer within the last four years,

Which was read.

On motion of Mr. Chrisman,

Said resolution was laid on the table.

Mr. Oliver, from a select committee, made the following report :

The committee to whom was referred the resolution of the Senate and joint resolution of the House, relative to the payment of postage on documents sent by members and officers of both Houses to their constituents,

Have had the same under consideration and have directed me to report the joint resolution, with an amendment, back to the Senate and recommend its passage.

Which amendment is as follows :

Provided: No documents shall be sent by mail weighing more than three ounces, and that all documents weighing more than three ounces, that are of public interest, shall be distributed to the members of the several counties together with the Laws and Journals.

Which was read.

On motion of Mr. Oliver,

The report was received.

Mr. Thomson offered the following amendment:

Strike out the amendment of the committee.

Which was read and adopted.

Mr. Ellett offered the following amendment :

Amend by inserting after the words "public documents," the following words, to-wit:

Printed by order of either House for the use of the members.

Which was read and adopted.

On motion of Mr. Gordon,

The report as amended was adopted,
 And on motion of Mr. Gordon,
 Said resolution as amended was concurred in.
 The following message was received from the House of Representatives, through their Clerk, Mr. Brougher,

MR. PRESIDENT—

The House has concurred in the following joint resolution of the Senate :

Resolved, by the Senate, [the House of Representatives concurring, That both Houses proceed to the election of State Librarian, State Reporter and Public Printer, on Friday next, at 11 o'clock A. M., within the Hall of the House of Representatives.

And has adopted an amendment thereto, striking out the words "State Librarian," in which the concurrence of the Senate is desired.

On motion of Mr. Thomson,
 Said message was taken up,
 And the amendment therein reported,
 Was concurred in.

Mr. Thomson gave the following notice :

MR. PRESIDENT—

I give notice, that on to-morrow or some future day, I will introduce a bill to be entitled an act to provide for taking the depositions of certain officers of the State of Mississippi and of the United States.

Mr. Oliver asked and obtained leave to call up,
 A bill to be entitled,
 An act to legalize a portion of the Minutes of the Probate Court of DeSoto county.

Which was read the second time.

Mr. Ellett offered the following amendment,

Amend by inserting the following as section 2:

SECTION 2, That the failure of any Judge of any Court in this State heretofore or hereafter to sign, or to have signed, the minutes of the proceedings of such Court, shall not affect the validity of the said proceedings; but the orders, decrees, judgments and proceedings of such Courts, shall have the same validity and effect as if the minutes were or had been regularly read over and signed by the Judge.

Which was read.

On motion of Mr. Howry,
 Said bill and amendment was referred to the committee on the Judiciary.

On motion of Mr. Buck,
 The Senate adjourned until 3 o'clock P. M.

THREE O'CLOCK P. M.

The Senate met pursuant to adjournment.

Mr. Covington by leave called up the House message,

And the resolution therein reported, proposing that the two Houses go into joint convention on to-morrow at 11 o'clock, for the purpose of counting the votes for Governor,

Was read the first time.

On motion of Mr. Covington, 2

The rule was suspended the resolution read the second time and concurred in.

The resolution in said report proposing to adopt the Joint Rules of last session for the government of the present,

Was read the first time.

On motion of Mr. Covington,

The rule was suspended the resolution read the second time and concurred in

The following message was received from the House of Representatives, through their Clerk, Mr. Brougher,

MR. PRESIDENT—

The House of Representatives has passed,

A bill entitled,

An act to amend an act entitled an act to establish a system of Common Schools in the county of Simpson, and for other purposes, so far as said act extends to the county of Covington.

Mr. Davis from the committee on Enrolled Bills, made the following report,

Which was received and agreed to :

MR. PRESIDENT—

The standing committee on Enrolled Bills,

Have examined the bill entitled,

An act in relation to toll bridges in the county of Claiborne,

And have found the same to be correctly enrolled.

The following message was received from the House of Representatives, through their Clerk, Mr. Brougher,

MR. PRESIDENT—

The House of Representatives has passed the following joint resolution, in which the concurrence of the Senate is desired :

Resolved, [the Senate concurring,] That that portion of the Governor's Message relating to the Geological Survey of the State, be referred to a joint select committee, consisting of five on the part of the House and — on the part of the Senate.

HOUSE COMMITTEE.

Messrs. Suratt, Terrell, Smylie, Reasons and Miller.

Mr. Ellett asked and obtained leave to introduce,
A bill to be entitled,

An act to amend an act entitled an act to regulate the lein of mechanics and others for labor and materials.

Which was read the first time.

On motion of Mr. Ellett,

The rule was suspended and the bill read the second time by its title and referred to the committee on the Judiciary.

Mr. Howry by leave called up House message.

And the resolution reported in said message proposing to refer that portion of the Governor's Message as relates to the Geological Survey of the State to a select committee of five on the part of the House and — on the part of the Senate.

Which resolution was read the first time.

On motion of Mr. Howry,

The blank in said resolution was filled with the number three.

On motion of Mr. Howry,

The rule was suspended the resolution read the second time and adopted.

The President appointed as said committee on the part of the Senate,

Messrs. Neill, McLain and Thomson.

Mr. Rankin asked and obtained leave to call up,

A bill to be entitled,

An act to amend an act entitled an act to establish a system of Common Schools in the county of Simpson and for other purposes, so far as said act extends to the county of Covington.

Which was read the first time.

On motion of Mr. Rankin,

The rule was suspended the bill read the second and third times and passed.

Ordered, That the title thereof stand as stated.

Mr. Gordon, agreeable to previous notice, asked and obtained leave to introduce,

A bill to be entitled,

An act to amend the Constitution of this State in relation to the prosecution and trial of slaves in all cases.

On motion of Mr. Gordon,

Said bill was laid on the table.

The following message was received from his Excellency the Governor, through his Private Secretary, Mr. Echols, to-wit :

EXECUTIVE OFFICE, }
Nov. 9th, 1859. }

MR. PRESIDENT—

His Excellency the Governor, has this day signed and approved Senate bill entitled,

An act in relation to toll bridges in the county of Claiborne.
Mr. Drane gave the following notice :

MR. PRESIDENT—

I give notice that I will on to-morrow or some subsequent day, introduce a bill to amend the 17th section of the 7th article of the Constitution of this State, under the head of "General Provisions."

On motion of Mr. Covington,

The Senate adjourned until to-morrow morning 10 o'clock.

THURSDAY, Nov. 10, 1859.

The Senate met pursuant to adjournment.

The Journal of yesterday was read.

Mr. Harris presented the petition of Martha W. Alford, of Lowndes county, praying the Legislature to pass,

An act to authorize the sale of a certain tract of land named in said petition.

Which was read,

And referred to a select committee of three.

The President appointed as said committee,

Messrs. Harris, Neill and Enloe.

Mr. Ellett, from the committee on the Judiciary, made the following report.

MR. PRESIDENT :

The committee on the Judiciary to whom was referred,

An act entitled,

An act to legalize a portion of the minutes of the Probate Court of DeSoto county,

And also a certain amendment thereto,

Have had the same under consideration, and have instructed me to report that the committee recommend the passage of the original bill, without amendment.

Which was read, and

On motion of Mr. Ellett,

Was received and agreed to.

And the bill therein reported, with the amendments thereto,

Was read the second time.

On motion of Mr. Ellett,

The amendment was laid on the table.

On motion of Mr. Ellett,

The rule was suspended,

The bill read the third time by its title, to-wit,
 A bill to be entitled,
 An act to legalize a portion of the minutes of the Probate Court
 of DeSoto county,
 And passed.
 Ordered that the title thereof stand as stated.
 Mr. Ellett, from the committee on the Judiciary, made the fol-
 lowing report :

MR. PRESIDENT :—

The committee on the Judiciary, to whom was referred,
 An act entitled an act entitled,
 An act to amend an act entitled,
 An act to provide for the punishment of crimes and misdemea-
 ors,

Have had the same under consideration, and have instructed me
 to report the same back, and to recommend that the same do pass
 without amendment.

Which was read, and
 On motion of Mr. Ellett,
 Was received and agreed to.
 And the bill therein reported,
 To be entitled,
 An act to amend an act entitled,
 An act to provide for the punishment of crimes and misdemea-
 ors,

Was read the second time.
 On motion of Mr. Ellett,
 The rule was suspended,
 The bill read the third time by its title, and passed.
 Ordered, that the title thereof stand as stated.
 Mr. Ellett, from the committee on the Judiciary, made the fol-
 lowing report :

MR. PRESIDENT :—

The committee on the Judiciary, to whom was referred,
 An act entitled,
 An act to amend an act entitled,
 An act to regulate the lien of Mechanics and others for labor
 and materials,

Have had the same under consideration, and have instructed me
 to report the same back to the Senate, with the recommendation
 that the same do pass.

Which was read, and
 On motion of Mr. Ellett,
 Was received and agreed to.
 And the bill therein reported,
 To be entitled,

An act to amend an act entitled,
An act to regulate the lien of mechanics and others for labor
and materials,

Was read the second time.

On motion of Mr. Gordon,

Said bill was recommitted to the committee on the Judiciary.

The following message was received from his Excellency, the
Governor, through his Private Secretary, Mr. Echols:

EXECUTIVE OFFICE, }
City of Jackson, Miss., Nov. 10, 1859. }

MR. PRESIDENT:—

I am directed by his Excellency, the Governor, to communicate the enclosed message in writing, with the accompanying documents.

Mr. Starke, from a select committee, made the following report:

The report of the select committee appointed to take into consideration that portion of the Governor's message in relation to the Judiciary:

MR. PRESIDENT:—

I am instructed by the committee (two of them, Messrs. Oliver of DeSoto, and Wilson of Pontotoc, dissenting) to report the following bill, increasing the salaries of certain officers therein named.

Your committee, in making this report, have not been unmindful of the popular objections to the bestowal of large salaries upon public officers. They are persuaded, however, that these objections, however well founded as a general rule, have no legitimate application to the officers whose salaries their resolution proposes to raise; and they will briefly give the reasons why they think the resolution should receive the sanction of the Legislature.

First, as to the Governor. He is required to reside in Jackson. The residence provided for him is a very large and handsome one, requiring of itself large outlays, independent of any sums contributed by the State, to keep it in proper order and condition. His very position requires him to be hospitable, and exacts of him a generous style of living. If a professional man, he is cut off from the practice of his profession—if a planter, he is in a great measure debarred from superintending his planting interests; and, in a word, is cut off from all the ordinary modes of adding to his income. Besides these general views, the price of provisions, of labor, of everything that enter into household economy and management has greatly increased of late, and your committee are persuaded that the Governor of the State cannot occupy the mansion provided for him in a style suitable to the office he fills, and

becoming his character as a hospitable Mississippian, without, at the present salary, infringing upon his private fortune. Your committee think this is not right. It is not just to the person on whom the people have conferred the high office of Governor, and imposed the necessity of living in accordance with it. Its tendency, besides, is to exclude men of intellect and qualification from aspiring to the office when their private means are not sufficient to justify their encountering the personal loss it forces on them. Your committee are of opinion that a smaller sum than five thousand dollars would be inadequate to the dignity of the position it forces on the incumbent.

In relation to the rate of salary fixed for the Judges of the High Court, besides the general views already advanced, many of which are equally applicable to the office of Judge of this Court—we would add that it is of the highest interest to litigants as well as to the whole State, that the best legal talents should at all times be secured for that high post. Members of the bar should feel that a seat on the Supreme Bench of the State should be the chief, or one of the chief objects of their just ambition. They should always look up to that Court with respect, not only for the legal attainments of the Court, but for their social position and their general character. By their position they are cut off for six years from all the ordinary modes of accumulation; forced for more than half of each year to be absent from their families, and necessitated to live in a style suited to the position which they occupy. It appears to your committee that the sum agreed on by them is not above that which the rich State of Mississippi can afford to give to those of her distinguished sons who fill her chief judicial stations. Besides these views, it opens the office to the competition of men of capacity and talent, without reference to their pecuniary means, and it also presents inducements to gentlemen who have distinguished themselves in their profession to abandon the active practice of it and give the State the benefit of their legal attainments.

In relation to the office of Attorney General, your committee think that there will hardly be a difference of opinion in the Senate. The labors of that officer are very great—his position of the most responsible character. The whole criminal law of the State has to be thoroughly comprehended by him; in the various criminal cases that are brought to the High Court, he is met by the ablest legal talent of the State, and is compelled not only to investigate and be familiar with the law, but also the facts, often voluminous, of each case. Besides this, he is the legal adviser of the Governor, and of the various State officers; and is compelled to reside at the Seat of Government; and thus often to separate from the fields of labor and the friends where his reputation has been gained and his business acquired. As the salary now stands, the Attorney General, if he be a man of character suitable to the

post, will always be selected from the Seat of Government. The great labors of this office may be seen in the fact that at the late session of the High Court, the onerous duties imposed upon the Attorney General were such as almost to preclude their discharge by a single individual.

Your committee therefore recommend that the salary of the Governor of the State be increased to the sum of five thousand dollars per annum. That the salaries of the Judges of the High Court of Errors and Appeals be increased to the sum of forty-five hundred dollars per annum—and that the salary of the Attorney General of the State of Mississippi be increased to the sum of twenty-five hundred dollars per annum.

All of which is respectfully submitted.

Which was read.

Mr. Ellett moved,

That the report be received and agreed to.

Mr. Oliver called for a division of the question.

The vote was first taken on receiving the report,

Which was decided in the affirmative.

The question was then taken on agreeing to the report.

Which was decided in the affirmative.

And the bill therein reported,

To be entitled,

An act to increase the salaries of certain officers therein named.

Was read the first time.

On motion of Mr. Starke,

The rule was suspended,

And the bill read the second time by its title.

Mr. Wilson moved that said bill be laid on the table, and made the special order of the day for 10 o'clock A. M. on Saturday next.

Mr. Starke moved that said bill lay on the table and made the special order of the day for 3 o'clock P. M. to-day.

Mr. Buck moved that said bill be made the special order for to-day at 12 o'clock M.

The vote was taken on the motion of Mr. Starke,

And was decided in the affirmative.

Mr. Huie, from a select committee made the following report :

MR. PRESIDENT :—

A majority of the committee to whom was referred the petition of Lucius Q. Edwards, beg leave to report that they have had the same under consideration, and recommend that the relief prayed for be granted, and that the accompanying bill for that purpose be passed.

All of which is respectfully submitted.

Which was read.

And on motion of Mr. Huie,
 Was received and agreed to.
 And the bill therein reported,
 To be entitled,
 An act for the relief of Lucius Q. Edwards,
 Was read the first time.
 On motion of Mr. Huie,
 The rule was suspended, and
 The bill read the second time by its title.
 Mr. Huie moved,
 That the rule be suspended,
 The bill read the third time by title.
 Which motion was lost.

The following message was received from the House of Representatives, through their Clerk, Mr. Brougher, viz.

MR. PRESIDENT :—

The House of Representatives has passed bills of the following titles, viz :

An act to amend Chapter VIII of the Revised Code, so far as it applies to the Probate Clerk of Adams county.

An act to change the time of holding the Probate Courts of the counties of Bolivar and Washington, and for other purposes.

An act granting leave of absence to H. Cassedy.

The House of Representatives has concurred in the amendment made by the Senate to the joint resolution of the House in relation to the payment of postage.

The House of Representatives has adopted the following joint resolution, to which the concurrence of the Senate is desired.

Resolved, [the Senate concurring,] That a joint committee of seven on the part of the House, and ——— on the part of the Senate, be appointed as a committee on the Gulf and Ship Island Railroad.

House committee,

Messrs. Hooker, Claiborne, Henley, Smedes, Dunlap, Barksdale, Chambers and Terrell.

I am instructed to inform the Senate that the Hall of the House is now ready for the reception of the Senate, in order to go into joint convention for the purpose of counting the votes for Governor.

On motion of Mr. Starke,

The Senate proceeded to the Hall of the House of Representatives, preceded by their President and Secretary, for the purpose of going into joint convention to count the votes for Governor.

Upon taking his seat, the President announced the object of the joint convention.

When the official vote for Governor was opened and counted.

OFFICIAL RETURNS

Of the vote for Governor of the State of Mississippi, at an election held on the first Monday of October, 1859, as opened and counted by a Joint Convention of the two Houses of the Legislature, on Thursday, the 10th day of November, 1859, viz :

COUNTIES.	JOHN J. PETTUS.	H. W. WALTER.
Amite	362	338
Adams	257	11
Attala	681	92
Bolivar	82	152
Claiborne	299	191
Choctaw	1,034	60
Coahoma	151	64
Chickasaw	819	141
Copiah	618	414
Calhoun	851	20
Clarke	796	87
Carroll	688	296
Covington	369	6
De Soto	846	583
Franklin	368	0
Green	236	1
Hinds	897	696
Holmes	530	373
Hancock	127	10
Harrison	508	30
Issaquena	94	52
Itawamba	1,715	119
Jefferson	353	30
Jones	210	16
Jasper	830	172
Jackson	275	0
Kemper	559	210
Lowndes	1,004	35
Leake	604	115
Lawrence	668	28
Lauderdale	631	48
Lafayette	598	66
Monroe	932	112
Madison	615	490
Marshall	921	883
Marion	290	0
Noxubee	424	21

OFFICIAL RETURN—[Continued.]

COUNTIES.	JOHN J. PETTUS.	H. W. WALTER.
Newton.....	506	18
Neshoba.....	735	24
Oktibbeha.....	696	24
Panola.....	665	569
Pontotoc.....	1,913	22
Pike.....	662	26
Perry.....	235	71
Rankin.....	612	379
Simpson.....	292	24
Scott.....	558	122
Smith.....	564	176
Sunflower.....	76	57
Tallahatchie.....	279	103
Tishomingo.....	1,096	1,313
Tunica.....	72	36
Tippah.....	1,533	77
Warren.....	405	559
Wilkinson.....	336	161
Wayne.....	252	32
Washington.....	75	61
Winston.....	623	3
Yallobusha.....	562	174
Yazoo.....	570	415
	34,559	10,308

John J. Pettus received.....	34,559 votes.
H. W. Walter received.....	10,308 "
Scattering.....	15
Pettus' majority.....	24,251
Whole number of votes cast.....	44,882

John J. Pettus having received a majority of all the votes counted, the President of the Senate declared him duly and constitutionally elected Governor of the State of Mississippi for the constitutional term thereof.

Whereupon, the Senate retired to their chamber.

Mr. Gordon gave notice as follows :

I give notice that I will, on to-morrow, or on some subsequent day, introduce a bill authorizing the Board of County Police of Adams and Wilkinson counties respectively to grant licences to set up and keep for public play Billiard Tables in the city of Natchez, and in the town of Woodville.

Mr. Chrisman, by leave, called up the House messages.

And the resolution of the House proposing to raise a joint select committee of seven on the part of the House, and ——— on the part of the Senate, on the Gulf and Ship Island Railroad,

Was read the first time.

On motion of Mr. Chrisman,

The blank in said resolution was filled with the number five.

On motion of Mr. Chrisman,

The rule was suspended, the resolution read the second time and concurred in.

The President appointed as said committee on the part of the Senate,

Messrs. Chrisman, West, McCord, Wilson and Quin.

Mr. Ellett, by leave, called up,

A bill to be entitled,

An act granting leave of absence to H. Cassedy,

Which was read the first time..

On motion of Mr. Ellett,

The rule was suspended, the bill read the second and third time, and passed.

Ordered, that the title thereof stand as stated.

Mr. Mason asked and obtained leave to introduce,

A bill to be entitled,

An act to incorporate the Holly Springs Life and General Insurance Company,

Which was read the first time.

On motion of Mr. Mason,

The rule was suspended, and the bill read the second time by its title.

On motion of Mr. Neill,

Said bill was laid on the table, and two hundred copies ordered to be printed for the use of the Legislature.

Mr. Gordon, by leave called up,

A bill to be entitled,

An act to amend chapter VIII. of the Revised Code, so far as it applies to the Probate Clerk of Adams county.

Which was read the first time.

On motion of Mr. Gordon,

The rule was suspended and the bill read the second time by its title.

On motion of Mr. Starke,

Said bill was referred to the committee on the Judiciary.

Mr. McRae, by leave, introduced,

A bill to be entitled,

An act in relation to the estate of Dr. Alexander Byrenheidt, deceased, and for other purposes.

Which was read the first time.

On motion of Mr. McRae,

The rule was suspended, and the bill read the second time by its title.

On motion of Mr. McRae,

Said bill was referred to a select committee of three.

The President appointed as said committee,

Messrs. McRae, Buck and Ellett.

Mr. Davis gave notice that he would, on to-morrow, or some subsequent day, introduce,

A bill to be entitled,

An act to amend the law relative to the service of process on corporations.

Mr. Harris, by leave, introduced,

A bill to be entitled,

An act for the relief of Nathan Spears,

Which was read the first time.

On motion of Mr. Harris,

The rule was suspended, and the bill read the second time by its title.

On motion of Mr. Ellett,

Said bill was referred to the committee on claims.

Mr. Ellett gave the following notice :

MR. PRESIDENT—

I give notice that on to-morrow, or some early day, I will ask leave to introduce,

A bill to be entitled,

An act to amend section 18 of article 4, of the Constitution of this State, it being the section which provides for the establishment of Courts of Probate.

Mr. Buck, by leave, introduced,

A bill to be entitled,

An act for the relief of the State Witnesses in the case of the State of Mississippi vs. Jacob Vough, indicted for murder.

Which was read the first time.

On motion of Mr. Buck,

The rule was suspended, the bill read the second time, and referred to the committee on the Judiciary.

On motion of Mr. Wilson,

The Senate adjourned until 3 o'clock P. M.

THREE O'CLOCK P. M.

The Senate met pursuant to adjournment.

The Senate proceeded to the consideration of the special orders of the day, and took up,

A bill to be entitled,

An act to increase the salaries of certain officers therein named.

Which was read the second time.

Mr. Mims offered the following amendment,

"And that the Salary of Librarian and Keeper of the Capitol be \$750, beginning with the 1st of January next."

Which was read.

And the question being taken on its adoption,

It was lost.

Mr. Buck offered the following amendment,

Amend by striking out the words "Governor and Attorney General,"

Which was read.

On motion of Mr. Thomson,

The further consideration of said bill was postponed and made the special order of the day for to-morrow at 3 o'clock P. M.

The following message was received from the House of Representatives, through their Clerk, Mr. Brougher.

MR. PRESIDENT—

The House of Representatives has adopted the following joint resolution, in which the concurrence of the Senate is desired.

Resolved, (the Senate concurring) That a committee of five on the part of the House, and ——— on the part of the Senate, be appointed to invite Hon L. Q. C. Lamar to address the members of the Legislature in the Hall of the House of Representatives, on the political topics of the day, at such time as may suit his convenience.

The House of Representatives has passed bills of the following titles, viz :

An act to amend an act entitled,

An act to change the times of holding the Circuit Courts in the Sixth Judicial District of the State of Mississippi, and for other purposes.

An act for the relief of purchasers of the 16th Sections in the county of Green, and for other purposes.

An act for the better protection of the State Capitol, and for other purposes.

The House of Representatives has passed,

The Senate bill entitled,

An act to legalize a portion of the minutes of the Probate Court of DeSoto county.

On motion of Mr. Gordon.

The Senate adjourned until to-morrow morning at 10 o'clock.

FRIDAY, Nov. 11, 1859.

The Senate met pursuant to adjournment.

The Journal of yesterday was read and approved.

The following message was received from the House, through their Clerk, Mr. Brougher;

MR. PRESIDENT—

The House of Representatives has adopted the following joint resolution, in which the concurrence of the Senate is desired :

Resolved, [the Senate concurring,] That the following additional Joint Rule be adopted for the government of the two Houses, to-wit :

RULE —, There shall be a joint standing committee on Printing, composed of — members on the part of the Senate, and five on the part of the House, to which shall be referred, as of course, all motions to print any document, message or report, other than bills and reports of committees of either House.

The Speaker has appointed as said committee on the part of House,

Messrs. Knox, Akers, Hicks, Carter and Wheler.

The House of Representatives has passed the Senate bill entitled,

An act to provide for the punishment of crimes and misdemeanors.

Also, bills originating in the House of the following titles, viz :

A bill to amend the school laws of Franklin county.

An act to repeal the common school law of Copiah county, approved Dec. 3d, 1858, and for other purposes.

An act to amend the school laws of Itawamba county,

The Speaker has appointed the following joint stading committees on the part of the House :

ON STATE AND FEDERAL RELATIONS,

Messrs. Hooker, Wilson, Clark, Matthews and Lake.

ON INTERNAL IMPROVEMENTS.

Messrs. Trotter, Adams, Ruffin, Henley and McRae.

ON CLAIMS.

Messrs. Suratt, Smith, Long, Byrne, and Dickins.

ON THE PENITENTIARY.

Messrs. Thomas, Shelton, Hicks, annd Hall of Leake.

ON LUNATIC ASYLUM.

Messrs. Dunlap, Backstrom, Keith, Merrinar and Reid.

ON THE INSTITUTION FOR THE BLIND.

Messrs. Backstrom, Walker of Simpson, Purdom, Jenkins and Williams.

ON THE INSTITUTION FOR THE DEAF AND DUMB.

Messrs. Chambers, Smith of Jones, Ellis of Panola, Lyles and Sanders.

ON THE OFFICE OF AUDITOR OF PUBLIC ACCOUNTS.

Messrs. Tolson, Culbertson, Trotter, Murphey and McAlister.

ON THE OFFICE OF SECRETARY OF STATE.

Messrs. Bell, Downs, Graham, McWhorter and Dean.

ON THE OFFICE OF TREASURER AND STATE COMMISSIONER, AND

ON THE EXECUTIVE CONTINGENT FUND.

Messrs. Gilstrap, Frith, Dantzler, Hamilton and Owen.

ON STATE LIBRARY.

Messrs. Jones of Sunflower, Claiborne, Van Eaton, Bishop and Beaman.

ON ENROLLED BILLS.

Messrs. Terrell, Gasque, Withers, Johnson and Weathersby

ON PUBLIC BUILDINGS.

Messrs. Rutherford, Hall, Holmes, Pipes and West.

ON THE STATE UNIVERSITY.

Messrs. Bugg, Hudson, Rogers, Augustus and Smedes.

Mr. Thomson moved to call up the House resolution, of yesterday, in relation to the appointment of a joint committee to invite Hon. L. Q. C. Lamar to address the members of the Legislature and the citizens generally, and moved to fill up the blank in said resolution with the number three.

The President appointed as said committee on the part of the Senate,

Messrs. Thomson, Buchanan and Howry.

On motion of Mr. Ellett,

The joint resolution of the House appointing a joint committee of five on the part of the House; and blank on the part of the Senate, to which all motions for printing any document, message or report, other than bills and reports of either House, were to be referred,

Was taken up and,

On motion of Mr. Ellett,

The blank in said resolution was filled up with the number three.

The President appointed as said committee on the part of the Senate,

Messrs. Ellett, Wilson and Mims.

Mr. Gordon, from the committee on the Judiciary, made the following report,

Which was read, received and agreed to :

MR. PRESIDENT—

The committee on the Judiciary to whom was recommitted the bill to be entitled,

An act to amend an act entitled an act to regulate the lein of mechanics and others for labor and materials.

Have reconsidered and re-examined the same and have come to

the conclusion that from the nature of the subject referred to therein that no amendment to said bill can be advantageously made.

The committee, therefore, have instructed me to report said bill back without amendment and recommend that it do pass.

The bill was read the second and third times and passed.

Ordered, That the title thereof stand as stated.

Mr. Buck, from the committee on the Judiciary, made the following report :

MR. PRESIDENT—

The Judiciary Committee to whom was referred,

The bill to be entitled,

An act for the relief of the State's witnesses in the case of the State vs. Jacob Vough, indicted in the county of Warren for murder.

Have had the same under consideration, and have instructed me to report the same back and recommend its passage.

Which was read, received and agreed to.

On motion,

The rule was suspended the bill read the second and third times and passed.

Ordered, That the title thereof stand as stated.

Mr. Harris, from a select committee, made the following report:

Which was read, received and agreed to :

MR. PRESIDENT—

The committee to whom was referred the petition of Martha W. Alford, praying for the passage of an act to authorize the sale of the land upon which she now resides,

Have had the same under consideration and instructed me to report the accompanying bill, favorable to the prayer of the petitioner and recommend that the same do pass.

Which was read the first and second times and the bill referred to the committee on the Judiciary.

The following message was received from the House of Representatives, through their Clerk, Mr. Brougher, .

MR. PRESIDENT—

I am instructed by the House of Representatives to inform the Senate that the Hall of the House of Representatives is now in readiness for the reception of the Senate, to the end that the two Houses go into joint convention for the purpose of electing a State Reporter and Public Printer.

Mr. Howry moved to lay the bill under consideration on the table; and that the Senate repair to the Hall of the House of Representatives for the purpose indicated in the above resolution.

The Senate in compliance with the adoption of this motion

proceed to the Hall preceded by the President and Seceretary.

The President of the Senate having announced the object of the joint assemblage, declared that nominations were in order.

Mr. Thomson, of the Senate, moved that the joint convention go into the election of Reporter first, and that said election be conducted *viva voce*,

Which motion was adopted.

Mr. Ellett, of the Senate, nominated J. Z. George,

And Mr. Thompson, of the Senate, moved that he be elected by acclamation.

Which motion was adopted.

And Mr. George declared by the President of the Senate to be duly and constitutionally elected State Reporter.

Mr. Baxter, of the House, moved to elect State Printer *vive voce*,

The yeas and nays were called for and the yeas declared to have it.

Mr. Oliver, of the Senate, nominated Mr. E Barksdale for Public Printer.

Mr. Lyles, of the House, nominated Messrs. Gallaway and Roy.

Mr. Bradford, of the House, withdrew the names of Gallaway and Roy,

And moved that Mr. Barksdale be elected by acclamation,

Which motion was adopted.

The President of the Senate announced the object of the joint convention as having been accomplished, and directed the Senate to withdraw to their chamber.

Mr. Starke moved to take up the bill under consideration of the Senate.

Mr. Covington gave notice that he would, on to-morrow or some future day, offer a bill to provide for the payment of the witnesses in a cause now pending in Oktibbeha county, wherein the State is plaintiff and E. P. Lipscomb defendant.

Mr. West called for the reading of the bill entitled,

An act for the relief of Mrs. Martha W. Alford, and her two minor children John Dudley and James William Alford.

Mr. Chrisman moved to refer the bill to the committee on the Judiciary.

Mr. Davis introduced,

A bill to be entitled,

An act to amend the law of service of original process in corporations.

The bill was read.

On motion the rule was suspended the bill read the second and third times by its title and passed.

Mr. Thomson from a joint committee appointed by both Houses

of the Legislature to wait on Hon. L. Q. C. Lamar, made the following report,

Which was received and agreed to :

MR. PRESIDENT—

The joint select committee of the two Houses appointed to wait on the Hon. L. Q. C. Lamar, and invite him to address the Legislature and citizens generally on the "political questions of the day," have performed that duty and are much gratified in announcing that Mr. Lamar will comply with the request of the Legislature at early candle-light this evening, in the Hall of the House of Representatives.

Mr. Drane offered the following resolution,

Which was adopted.

Resolved, That the committee on the Militia examine and report the number, quality and condition of the arms of every description in the State Arsenal, and also what arms, if any, are in the possession of Volunteer Companies in this State.

Mr. Drane gave the following notice :

I give notice that I will on to-morrow or some future day, introduce a bill authorizing and requiring the Board of Police of Choctaw county to submit the question of a tax on real estate in certain townships in said county to the citizens of said townships to aid in the construction of the New Orleans, Jackson & Great Northern Railroad.

Mr. Enloe called up,

The House bill entitled,

An act to amend an act to change the time of holding the Circuit Courts in the Sixth Judicial District of the State of Mississippi and other purposes.

Mr. Enloe moved a suspension of the rule,

And the bill was read the first second and third times and passed.

Ordered, That the title thereof stand as stated.

Mr. Covington offered the following resolution,

Resolved, That the clergy resident in and those visiting the city of Jackson during the session of the present Legislature, be invited to open the morning session with prayer,

Which was adopted.

Mr. Thomson introduced,

A bill to be entitled,

An act to provide for the taking of depositions of certain officers in the State of Mississippi and of the United States.

On motion of Mr. Thomson,

The rule was suspended and the bill read the second time and referred to the committee on the Judiciary,

Mr. Gordon introduced,

A bill to be entitled,

An act to authorize the Boards of County Police of Adams and Wilkinson counties respectively to grant licences to set up and keep for public play, Billiard Tables in the city of Natchez and town of Woodville.

On motion of Gordon,

The rule was suspended, the bill read a second time and referred to a select committee of three.

The President appointed as said committee,

Messrs. Gordon, Thomson and Oliver.

Mr. Mims introduced the following resolution,

Resolved, That 2,000 copies of the report of the officers of the Lunatic Asylum, of the State Penitentiary and Auditor's Report, be printed for the use of the Senate.

Mr. West moved to strike out 2,000 thousand and insert 1,000.

Mr. Thomson moved to refer the whole matter to the committee on Printing.

Mr. West moved to strike out 2,000,

Which motion was adopted,

And the resolution referred to the committee on Printing.

On motion of Mr. Tompson,

The Senate adjourned until 3 o'clock P. M.

THREE O'CLOCK P. M.

Mr. McCord asked and obtained leave to introduce,

A bill to be entitled,

An act to amend chapter LX of the Revised Code of the State of Mississippi, providing for the establishment of Probate Courts and proceedings therein,

Which was read.

On motion of Mr. McCord,

The rule was suspended and the bill read a second time by its title.

On motion of Mr. Enloe,

200 copies were ordered to be printed for the use of the Senate.

Mr. Starke moved,

To take up the Governor's Message,

Which was read once.

Mr. Starke moved,

To defer the Governor's Message, and make it the special order for 3 o'clock to-morrow.

The bill relative to increasing the salaries of certain officers,

Was again taken up,

And on motion,

The question as to whether the increase of salaries proposed for the Governor and Attorney-General, should be stricken out

was put, and a division was called for, when the yeas were declared to have it.

The question on striking out Attorney-General was put, and a division was called for, and the nays were declared to be in the majority.

Mr. Buck moved,

To reconsider Mr. Mims' amendment, providing for the increase of the salary of the State Librarian and Keeper of the Capitol to \$750,

Which motion was adopted.

Mr. Davis, Chairman of the committee on Enrolled Bills, offered the following report:

The committee on Enrolled Bills,

Have examined the bill entitled,

An act to legalize a portion of the minutes of DeSoto county,

And find the same correctly enrolled.

The question as to the reconsideration of Mr. Mims' amendment was put, and a division being called for, the yeas were declared to have it.

Mr. Ellett moved,

That the bill be made the special order of the day for Monday 10 o'clock.

Mr. Quin asked and obtained leave of absence.

Mr. Neill asked and obtained leave of absence for Mr. West.

On motion of Mr. Huie,

The Senate adjourned until to-morrow morning 9 o'clock.

SATURDAY, Nov. 12, 1859.

The Senate met pursuant to adjournment.

The Journal of yesterday was read.

Mr. McRae, from a select committee, reported as follows:

MR. PRESIDENT—

The select committee to whom was referred,

A bill entitled,

An act in relation to the estate of Dr. Alexander Byrenheidt, and for other purposes,

Have examined the same, and instructed me to report in favor of its passage, without amendment.

The bill was read a second time.

On motion of Mr. McRae,

The rule was suspended the bill read a third time by title, and passed,

The title thereof standing as stated.

Mr. Neill introduced the petition of Thomas Boone,

Which was referred to the Judiciary Committee.

Mr. Thomson offered the following resolution.

Which was adopted.

Resolved, By the Senate, (the House concurring) that the following additional rule for the government of the two Houses, be adopted.

RULE,—There shall be a Joint Standing Committee of the two Houses on Public Roads.

The following message was received from the House of Representatives, through their Clerk, Mr. Brougher,

MR. PRESIDENT—

The House of Representatives has passed bills of the following titles, viz :

An act granting leave of absence to Honorable John Watts.

An act to amend an act to incorporate the town of Palo Alto in the county of Chickasaw.

An act to repeal an act to suppress tippling houses in the county of Clarke, and for other purposes.

A bill for the relief of James H. Nichols.

Also,

A Senate bill entitled,

An act for the relief of the State Witnesses in the case of the State of Mississippi vs. Jacob Vough, indicted in the county of Warren for murder.

Also,

A House bill entitled,

An act to amend an act entitled,

An act to regulate Common Schools in the counties of Perry and Green.

Mr. Mims offered the petition of Wm. B. Taylor and others, praying the Legislature to annex township six, range one east, in the county of Hinds, to the first District Court of Hinds county held in the city of Jackson.

The petition was referred to a select committee of three.

The President appointed as said committee,

Messrs. Mims, McRae, Chrisman.

Mr. Simonton introduced,

A bill to be entitled,

An act to repeal a portion of an act entitled,

An act to establish Circuit Courts, to define their jurisdiction, and to regulate the practice therein.

On motion of Mr. Simonton,

The rule was suspended and the bill read the second time,
And referred to a select committee of three.

The President appointed as said committee,
Messrs. Simonton, Neill and Gordon.

Mr. Mason moved to take up,

The bill entitled,

An act to incorporate the Holly Springs Life and General Insurance Company,

Mr. Starke moved to suspend the rule, and the bill was read the second time.

Mr. Oliver offered an amendment, as follows :

Section 1, 5th line, after the word "succession," insert "for twenty years from the passage of this act.

Accepted.

Mr. Oliver offered a second amendment,

In line 19, after "debt," insert "of less amount than the money or thing deposited,

Which amendment was also accepted.

Mr. Oliver offered a third amendment, as follows :

Third amendment—19th line, after the word "medium," insert "and provided further, that the Legislature shall have power to amend or repeal this charter at pleasure.

Mr. Chrisman moved,

To strike out the words "bank notes" in line 10, and "uncurrent bank notes" in line 11.

The motion was put, and upon a call of the yeas and nays, the vote was as follows :

YEAS—Messrs. Brasier, Chrisman, Enloe, Mims, Neill, Rankin, Thomson and Thames—8.

NAYS—Mr. President, Messrs. Buchanan, Ellett, Covington, Davis, Gordon, Harris, Harvey, Huie, McLain, Mason, McCord, Oliver, Starke, Simonton, Talliaferro and Wilson—17.

Mr. Chrisman's amendment was therefore lost.

Mr. Thomson offered an amendment as follows :

"Provided further, That nothing herein contained shall authorize said company to become the agent of any foreign bank or corporation for the purpose of circulating in this State the issues of said foreign bank or corporation, or to borrow bank notes, current or uncurrent, to be put in circulation in this State."

Mr. Simonton offered the following amendment to the amendment of Mr. Thomson :

"Provided that nothing in this amendment shall debar or deprive the said Company of so doing, providing they pay the tax which the law requires.

Mr. Thomson moved to lay the amendment of Mr. Simonton on the table.

Mr. Mason moved to withdraw the bill; but by the request of Mr. Drane, withdrew the motion, and

On motion of Mr. Drane,

The bill was referred to a select committee of three.

The President appointed Mason, Chrisman and Gordon.

Mr. Drane moved,

That the Senate go into executive session for the consideration of the Governor's message and documents.

Adopted.

Mr. Ellett moved,

That the Governor's message and accompanying documents be referred to a select committee of three.

Adopted.

The President appointed,

Messrs. Ellett, Neill and Talliaferro.

The House bill entitled,

An act to change the time of holding the Circuit Court in Tunica county,

Was called up,

And under a suspension of the rules read the first, second and third time, and passed,

The title remaining as stated.

Mr. Mims called up,

House bill entitled,

An act for the relief of James H. Nichols,

Under a suspension of the rules,

The bill was read the second time,

And lost.

Mr. Thomson called up,

House bill entitled,

An act to amend an act to incorporate the town of Palo Alto, in the county of Chickasaw,

Which was read.

On motion of Mr. Thomson,

The rule was suspended, the bill read the second and third time, and passed.

The title standing as stated.

Mr. Huie offered the following resolution,

Which was unanimously adopted.

Resolved, 1st, That the Senate have heard of the death of T. L. Thompson, late Senator from the counties of Leake and Attala, with pain and regret.

Resolved, 2d, That in the death of Mr. Thompson, the State of Mississippi has lost one of her most promising young men; one whose public career, though brief, gave earnest of a future pre-eminently useful; and society has been deprived of one of its brightest ornaments; one ever generous, liberal and confiding,

and whose every day intercourse with mankind beautifully exemplified his appreciation of truth, honor and justice.

Resolved, 3d, That we tender to the bereaved wife and children of the deceased our warmest sympathies, and sincere condolence in their irreparable loss, remembering at the same time, however, that what is their loss, and our loss, is his *eternal gain*.

Resolved, 4th That his family be furnished by the Secretary of the Senate with a copy of these resolutions; and that the Senate do now adjourn, as a further token of respect to the memory of the deceased.

On motion of Mr. Huie,

The Senate adjourned until 10 o'clock Monday morning.

MONDAY, Nov. 14, 1859.

The Senate met pursuant to adjournment.

The Journal of yesterday was read.

Mr. Neill, by leave, introduced,

The Petition of E. G. Ford, of Carroll county, minor, praying the Legislature to relieve him of the legal disabilities of minority, Which was referred to the committee on propositions and grievances.

Mr. Gordon introduced,

A bill to be entitled,

An act to repeal articles 54, 55 and 56 of section 8, chapter 35, of the Revised Code,

Which was read the first and second time, and

Referred to the committee on the Judiciary.

Messrs. Gordon and Neill asked to be excused from serving on the committee on the bill introduced by Mr. Simonton, providing for the repeal of a portion of an act establishing Circuit Courts—Messrs. Ellet and Wilson were appointed in their stead.

Mr. Ellett, from the joint standing committee on Public Printing, made the following report,

Which was received and agreed to:

MR. PRESIDENT—

The joint standing committee on Printing, to whom was referred a motion to print copies of the Report of the Auditor of Public Accounts, the Supervisor's of the Lunatic Asylum and the officers of the Penitentiary,

Have had the same under consideration, and have instructed me to report the the following joint resolution, and to recommend its adoption.

Resolved, By the Legislature of the State of Mississippi, That five thousand copies of the Report of the Auditor of Public Accounts, a like number of copies of the Report of the officers of the Lunatic Asylun, and a like number of the Report of the officer of the Penitentiary, be printed for the use of the Legislature, to be equally distriبت among the members—the copies hereby ordered being in lien of any copies of said Reports heretofore ordered by either House.

Mr. McLain called up,
House Bill granting leave of absence to Hon. John Watts,
Which was read first, second and third time and passed,
Title standing as stated.

Mr. McLain called up,
House bill in relation to tippling houses in the county of Clark.
Read first and second time, and
Referred to a select committee of three.
The President appointed as said committee,
Messrs. McLain, Simonton and Davis.

Mr. Simonton called up,
House bill entitled,
An act to amend the school laws of Itawamba county.
Which was read first, second and third time, and passed,
The title standing as stated.

Mr. Buck moved to take up,
Senate bill in relation to the increase of the salaries of certain officers therein named.

Mr. Covington moved that it be indefinitely postponed,
And called for the yeas and nays.

YEAS—Mr. President, Messrs. Brasier, Buchanan, Covington, Huie, McCord, Neill, Oliver, Rankin, Simonton, Thomson, West, Wilson—13.

NAYS—Messrs. Buck, Catchings, Chrisman, Davis, Ellett, Enloe, Gordon, Harris, Howry, McLain, Mason, Quin, Starke, Taliaferro—15.

Mr. Ellett moved,
The bill be re-committed to a select committee,
Which was agreed to.

The President appointed as said committee,
Messrs. Ellett, Starke and Covington.

Mr. Rankin moved,
To take up House bills in their regular order.

A bill to be entitled,
An act to repeal the common school law of Covich county, approved Dec. 3d, 1858, and for other purposes.
Which was read the first time.

And on a suspension of the rules read a second time, and
 Referred to a select committee of three.
 The President appointed as said committee,
 Messrs. Catchings, Rankin and Wilson.
 A bill to amend the school laws of Franklin county,
 Was read the first and second times, and
 On motion of Mr. Ellett,
 Was referred to a select committee of three.
 The President appointed as said committee,
 Messrs. Ellett, Huie and Buchanan.
 A bill to be entitled,
 An act for the better protection of the State Capitol, and for
 other purposes.
 Was read three times, and
 On motion of Mr. Starke,
 It was referred to the committee on public buildings.
 On motion of Mr. Ellett,
 The Senate adjourned until to-morrow morning at 9 o'clock.

TUESDAY, Nov. 15, 1859.

The Senate met pursuant to adjournment.
 The Journal of yesterday was read and approved.
 Mr. Howry introduced,
 A bill to be entitled,
 An act to extend the time of holding the Probate Court of the
 county of Lafayette,
 Which was read.
 The rule was suspended and the bill read the second time and
 referred to the committee on the Judiciary.
 The following message was received from his Excellency the
 Governor, through his Private Secretary, Mr. Echols, to-wit :

EXECUTIVE OFFICE, }
 City of Jackson, Nov. 15, 1859. }

MR. PRESIDENT—

I am directed by his Excellency the Governor, to communicate
 the enclosed message in writing and accompanying documents.
 He also signed and approved Senate bill on the 12th entitled,
 A bill to be entitled,

An act to legalize a portion the minutes of the Probate Court of DeSoto county.

EXECUTIVE OFFICE, }
CITY OF JACKSON, Nov. 15, 1858. }

To the members of the Senate:

GENTLEMEN:—Since the last meeting of the Legislature, I have received several petitions from the subjects of foreign Governments, and also from citizens of the United States, respectfully asking the payment of certain Planters' Bank Bonds issued by the State. I herewith transmit those petitions to you, with the recommendation that some satisfactory arrangement should be made in relation to their payment. These Bonds were originally for \$2,000,000, and there is now in addition to the original amount of the Bonds a considerable amount due for interest on the same. Though a portion of this interest has been paid, viz:—on the 30th November, 1858, there was a payment of \$101,500, and on the 5th of July last, \$20.

An act of the Legislature was passed in 1848, authorizing the State officers to convey the Internal Improvement lands of the State to the holders of those Bonds in payment, at the price of six dollars per acre—and a small portion of them were so conveyed. But since that time the greater portion of those lands have been sold, and the proceeds of the same invested in the different Railroads of the State. I would suggest that on the completion of the Gulf and Ship Island Railroad, that the stock then held by the State in said road might be sold and made to contribute largely to the payment of those Bonds.

In 1852, by an act of the Legislature, the question was submitted to the people, asking whether or not they were willing to be taxed for the payment of those Bonds. The answer was in the negative. I then thought, as I now think, that the Bonds ought to be paid, and voted accordingly. If you, the immediate representatives of the people, should not feel authorized, in the face of this vote, to make an arrangement for the payment of those Bonds, the question might be raised and submitted to the people, again asking their consent to the imposition of a tax sufficient to pay the interest for the present on the same, and to provide a fund in aid of the funds arising from the sale of Internal Improvement lands sufficient to provide for their payment in 20 or 30 years, which I have no doubt would be satisfactory to the Bond holders. Such has been the greatly increased value and amount of taxable property within the State, that I do not believe that any increase of the present rate of taxation would be necessary for the purpose. But, even admitting that it might require an additional tax to meet this obligation, it constitutes no valid objection. The question for your solution is, are those Bonds due and unpaid? If this question should be answered in the affirmative, in my opinion the

question of payment is no longer debateable—and proper provision should be made for their liquidation or adjustment. It is due to ourselves and to the character of the State, that all acknowledged obligations should be promptly met. It can never cost an individual or State too much to be just.

WILLIAM McWILLIE.

Mr. Huie offered the following resolution :

Resolved, That the committee on the Judiciary be instructed to enquire into the propriety of repealing or modifying article 43, section 15, chapter 64, page 580 of the Code ; and also article 65, section 14, chapter 3, page 86 of the Code, and if the same should be thought proper, to report a bill for that purpose.

Mr. Huie also introduced,

A bill entitled,

A bill for Leake county, together with a private letter from Joseph D. Eades, setting forth the reasons why the law, as indicated in his resolution should be repealed or modified.

The bill was read.

The rule was suspended, the bill read a second time by its title and referred to the Judiciary Committee.

The following message was received from the House of Representatives, through their Clerk, Mr. Brougher,

MR. PRESIDENT—

The House of Representatives has passed,

A bill entitled,

An act for the benefit of Ann Eliza Austin.

The House of Representatives has adopted the following joint resolution in which the concurrence of the Senate is desired :

Resolved, [the Senate concurring.] That a joint select committee of seven on the part of the House, and — on the part of the Senate, be appointed, to be called the Levee Committee, to whom shall be referred all subjects relating to Levees on the Mississippi river or elsewhere in the State.

HOUSE COMMITTEE.

Messrs. Barksdale, Adams, Rogers, Clark, Chambers, Sanders and Murphey.

The House has passed bills of the following titles, viz :

An act to incorporate the Memphis, Holly Springs and Mobile Railroad Company.

An act to amend an act to secure the interest on the school fund belonging to the Chickasaw Cession and for other purposes, so far as the same relates to the counties of Tishomingo, Tippah, Panola and Lafayette.

• An act to exempt telegraph operators from jury service .

An act to amend an act approved March 11th, 1856, entitled an act to repeal an act to incorporate the Grenada Male and Female Academies, approved the 15th day of February, 1859, and the amendatory act thereof, approved the 6th day of February, 1841.

The House of Representatives has passed the following joint resolution, in which the concurrence of the Senate is desired :

Resolved, [the Senate concurring,] That a committee of three be appointed upon the part of the House and — upon the part of the Senate, to wait on the Hon. Jefferson Davis and invite him to address the members of the Legislature upon the political topics of the day at such time as may suit his convenience.

Committee on the part of the House,
Messrs Ware, Scales and Hall of Leake.

Mr. McCord introduced,

A bill to be entitled,

An act to extend the time for holding the Police Court of Tishomingo county.

Which was read the first time.

Under a suspension of the rule the bill was read a second,

And on motion of Mr. McLain,

Referred to the committee on the Judiciary.

On motion of Mr. Starke,

The House resolution inviting the Hon. Jefferson Davis to address the members of the Legislature,

Was taken up.

The resolution was concurred by the Senate,

And on motion,

The blank in the committee of invitation was filled with the number three.

The President appointed as said committee on the part of the Senate,

Messrs. Starke, Chrisman and Thomson.

Mr. Ellett, from the committee on the Judiciary, made the following report ;

MR. PRESIDENT :—

The select committee to whom was referred,

A bill entitled,

An act to increase the salaries of certain officers therein named.

Have had the same under consideration, and have instructed me to report the same back with the annexed substitute therefor, and to recommend its adoption.

Which was received and agreed to.

The bill was read the first and second time.

Mr. Mason moved,

To strike out \$5,000 and insert \$4,000.

The yeas and nays were called for by Mr. Brasier and others,
And the following was the result :

YEAS—Mr. President, Messrs. Braiser, Buchanan, Catchings, Covington, Chrisman, Harris, Huie, Mason, McCord, Oliver, Rankin, Simonton, Thomson and Wilson.—15.

NAYS—Buck, Davis, Ellett, Enloe, Gordon, Howry, McLain, Mims, McRae, Neill, Starke and Taliaferro.—12.

The motion was carried.

Mr. Ellett moved,

That the rule be suspended, the bill as amended be considered as engrossed, read the third time and put upon its passage.

The yeas and nays were called for by three Senators :

YEAS—Messrs. Buck, Catchings, Chrisman, Davis, Ellett, Gordon, Harris, Howry, McLain, Mims, Mason, McRae, Neill, Quin, Rankin, Starke and Taliaferro.—17.

NAYS—Mr. President, Messrs. Brasier, Buchanan, Covington, Enloe, Huie, McCord, Olver, Simonton, Thomson and Wilson.—11.

The bill, therefore, passed.

The title thereof standing as stated.

Mr. Ellett, from a select committee, made the following report :

MR. PRESIDENT—

The select committee to whom was referred,

An act entitled,

An act to amend the school laws of Franklin county.

Have had the same under consideration, and have instructed me to report the same back and recommend its passage.

Which motion was received and agreed to.

Under a suspension of the rule the bill was read the third time and passed,

The title standing as stated,

Mr. Mims called up,

House bill entitled,

An act for the relief of Ann Eliza Austin.

Which was read the first and second times and

On motion of Mr. Oliver,

Referred to the committee on the Judiciary.

Mr. Davis offered the following report,

Which was received and agreed to.

MR. PRESIDENT—

The committee on Enrolled Bills would report that they have examined,

A bill entitled,

An act for the relief of the State's witnesses in the case of the State vs. Jacob Vough, indicted in the county of Warren for murder.

And that they find the same correctly enrolled:

Mr. Ellett offered the following joint resolution,

Which was read and adopted:

Resolved, By the Legislature of the State of Mississippi, That the Librarian deliver to the Clerk of the Circuit Court of the United States, at Jackson, and to the Clerk of the District Court of the United States, at Pontotoc each a complete set of the Reports of the decisions of the High Court of Errors and Appeals, to be kept in their respective offices for the use of the said courts.

Mr. Mims moved,

To adjourn the Senate till Friday morning 9 o'clock.

Lost.

On motion of Mr. Howry,

The Senate adjourned until to-morrow morning 9 o'clock.

WEDNESDAY, Nov. 16, 1859.

The Senate met pursuant to adjournment.

The Journal of yesterday was read and approved.

The following message was received from the House, through their Clerk, Mr. Brougher,

MR. PRESIDENT—

The House of Representatives has passed,

A bill entitled,

An act to provide for the taking the census of the State of Mississippi in the year 1860.

Mr. Rankin by leave presented the petition of F. K. Willonghby and two hundred and forty-three other petitions of Jones county, praying the Legislature to pass an act legalizing the entries of the swamp lands in said county.

Which was read.

And on motion of Mr. Rankin,

Said petition was referred to the committee on the Judiciary.

Mr. Buchanan, from the committee on Propositions and Grievances, made the following report:

MR. PRESIDENT—

The committee to whom was referred the petition of E. G.

Ford, minor of Carroll county, praying to be relieved of the civil disabilities, beg leave to report against said petition.

Mr. Stark, from a select committee, made the following report:

MR. PRESIDENT—

The select committee appointed to invite the Honorable Jefferson Davis to address the Legislature, beg leave to report that they have performed that duty and that Mr. Davis will address the Legislature on Thursday evening next.

Which was read,

And on motion of Mr. Starke,

Was received and agreed to.

On motion of Mr. Oliver,

The Senator from Tippah, Hon. Mr. Buchanan, was added to the committee on the Penitentiary.

Mr. Mason asked and obtained leave to call up,

A bill to be entitled,

An act to incorporate the Memphis, Holly Springs and Mobile Railroad Company.

Which was read the first time.

On motion of Mr. Mason,

The rule was suspended, and the bill read the second time by its title.

On motion of Mr. West,

Said bill was referred to the committee on Internal Improvements.

On motion of Mr. West,

The vote just taken, referring said bill to the committee on Internal Improvements, was reconsidered.

Mr. West moved,

That said bill be laid on the table and made the special order of the day for Monday next at 11 o'clock A. M.

Which motion was lost.

Mr. Mason moved,

That the rule be suspended, the bill read the third time and put upon its passage.

Which motion was lost.

Mr. Starke, by leave, called up House message,

A bill to be entitled,

An act to amend an act entitled,

An act to regulate the common schools in the counties of Perry and Green.

Was read the first time.

A bill to be entitled,

An act for the relief of purchasers of the 16th Sections in the county of Green, and for other purposes.

Was read the first time.

On motion of Mr. Rankin,

The rule was suspended and the bill read the second time by its title.

And referred to the committee on the Judiciary.

On motion of Mr. Starke,

The joint resolution of the House raising a joint select committee of seven on the part of the House and — on the part of the Senate, upon the subject of the Levee on the Mississippi,

Was called up and read the first time.

On motion of Mr. Starke,

The blank in said resolution was filled with the number four.

And on motion of Mr. Starke,

The rule was suspended the resolution as amended read the second time and concurred in.

The President appointed as said committee on the part of the Senate,

Messrs. Starke, Neill, Oliver and Taliaferro.

Mr. Gordon, by leave, called up,

A bill to be entitled,

An act to amend the Constitution of this State in relation to the prosecution and trial of slaves in all cases.

Which was read the second time.

On motion of Mr. Gordon,

Said bill was laid on the table and made the special order of the day for Monday next at 11 o'clock A. M.

On motion of Mr. Chrisman,

200 copies of said bill was ordered to be printed for the use of the Legislature.

Mr. Drane, agreeable to previous notice, introduced,

A bill to be entitled,

An act to amend the seventeenth section of the General Provisions of the Constitution in relation to new counties.

Which was read the first time.

Mr. Neill, by leave, offered the following resolution :

Resolved, That the committee on the Penitentiary be instructed to enquire into the expediency of establishing depots in different parts of the State of Mississippi for the sale of cotton and wollen fabrics, the product of the labor of said Institution, and that they report by bill or otherwise.

Which was read,

And on motion of Mr. Neill,

Referred to the committee on the Penitentiary.

Mr. Davis, from the committee on Enrolled Bills, made the following report ;

MR. PRESIDENT—

The committee on Enrolled Bills would report that they have examined,

A bill to be entitled,

An act to amend an act entitled an act to provide for the punishment of crimes and misdemeanors.

And have found the same correctly Enrolled.

Which was read.

And on motion of Mr. Davis,

Was received and agreed to.

On motion of Mr. Neill,

The Senate adjourned until to-morrow morning 9 o'clock.

THURSDAY, Nov. 17, 1859.

The Senate met pursuant to adjournment.

The Journal of yesterday was read.

Mr. McLain presented the petition of C. M. Moody, of Clarke county.

Which was read, and

On motion of Mr. McLain,

Said petition was

Referred to the committee on claims.

Mr. Rankin presented the petition of Joseph Pool and others, citizens of Jones county, praying the Legislature to pass,

An act removing the civil disabilities of Jesse C. Mott,

Which was read, and

On motion of Mr. Rankin,

Referred to the committee on propositions and grievances.

Mr. Oliver by leave introduced,

A bill to be entitled,

An act to authorize the School Commissioners of DeSoto county to apply the surplus common school fund of said county to the next most needy class of applicants,

Which was read the first time.

On motion of Mr. Oliver,

The rule was suspended,

And the bill read the second and third time, and passed.

Ordered that the title thereof stand as stated.

The following message was received from the House of Representatives, through their Clerk, Mr. Brougher, viz.

MR. PRESIDENT :—

The House of Representatives has passed,

Bills of the following titles, to-wit ;

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An act to repeal an act to prohibit the sale of vinous and spirituous liquors in the town of Grenada, Yalobusha county, and for other purposes, approved March 2d, 1854.

An act to diminish the salary of the Probate Judge of Kemper county.

An act to change the time of holding the Probate Court of Lauderdale county.

An act to increase the salary of the Probate Judge of Warren county.

A bill authorizing the election of a member of the Agricultural Bureau.

The House of Representatives has concurred in the joint resolution of the Senate,

In relation to printing the Auditor's Report, the report of the officers of the Lunatic Asylum, and the report of the officers of the Penitentiary.

And has adopted the following joint resolution, in which the concurrence of the Senate is desired.

Resolved, (The Senate concurring,) That the Auditor of Public Accounts be requested to furnish the Legislature, as early as practicable, a statement showing the aggregate amount appropriated for the purchase of books, maps, documents, &c., for said library from the year 1838 to the present time, and the amounts and date of the several expenditures for the purchase of said books, &c., and also a statement of the aggregate amount expended on account of the *contingent fund* for said library.

Mr. McLain by leave introduced,

A bill to be entitled,

An act to incorporate the Mobile and Ohio Telegraph Corporation,

Which was read the first time.

On motion of Mr. McLain,

The rule was suspended, and the bill read the second time by its title.

On motion of Mr. Gordon,

Said bill was referred to the committee on Internal Improvements.

On motion of Mr. Mason,

The vote taken on yesterday laying upon the table and making the special order of the day for Monday next at 11 o'clock A. M.,

A bill to be entitled,

An act to incorporate the Memphis, Holly Springs and Mobile Railroad Company,

Was reconsidered.

Mr. Oliver offered the following amendment,

Add to the 2d section of said bill,

pprovided the gauge of said road shall be the same as that of the Central road, and the Company shall receive and transport the cars of

any other road with which it may intersect, upon the same terms, and in the same manner as is now required to be done by the charter of the Central Railroad Company.

Which was read and adopted.

Mr. West offered the following amendment,

Strike out on page 5th, beginning with the following words "the Board shall also;" down to the first word in the 5th line on page 6th,

Which was read and adopted.

Mr. Oliver offered the following amendment,

Provided, it shall be the duty of the Company to make suitable crossings on the public roads that may be crossed by said Railroad, and that it shall be the duty of the Company to make all necessary stock pits on the farms of such persons through whose lands and farms the road may run, and shall also make suitable crossings over such private roads as may be necessary for the safe crossing of the planters in passing over said Railroad to different points of their farms.

Which was read.

On motion of Mr. West,

Said bill and amendments were

Referred to a select committee of three.

The President appointed as said committee,

Messrs. West, Mason and Gordon.

The following message was received from the House of Representatives, through their Clerk, Mr. Brougher,

MR. PRESIDENT—

The House of Representatives has passed bills of the following titles, viz :

An act providing for the appropriation of certain State arms.

An act for the relief of Geo. W. Nail, late tax assessor of DeSoto county.

An act to amend an act entitled,

An act to incorporate the Columbus Building Association.

An act to amend the several acts relating to the charter of the city of Vicksburg.

Mr. Buck, by leave called up,

A House bill,

To be entitled,

An act to increase the salary of the Probate Judge of Warren county.

Which was read the first time.

On motion of Mr. Buck,

The rule was suspended,

The bill read the second and third times, and passed.

Ordered, that the title thereof stand as stated.

On motion of Mr. Oliver,

The message just received from the House was taken up,
 And the resolution therein, requesting the Auditor of Public
 Accounts to furnish the Legislature with a statement of the differ-
 ent amounts appropriated for the purchase of books, maps, &c.,
 for the State Library from 1838 to the present time,

Was read the first time.

On motion of Mr. Oliver,

The rule was suspended, the resolution read the second time
 and concurred in.

The following message was received from the House of Rep-
 resentatives, through their Clerk, Mr. Brougher,

MR. PRESIDENT:—

The House of Representatives has passed the Senate bill
 entitled,

An act in relation to the estate of Dr. Alexander Byrenheidt,
 deceased, and for other purposes.

Mr. Gordon moved,

That the Senate adjourn until Monday morning 10 o'clock,
 Which was lost.

On motion of Mr. Oliver,

The Senate adjourned until to-morrow morning at 9 o'clock.

FRIDAY, Nov. 18, 1859.

The Senate met pursuant to adjournment.

The Journal of yesterday was read.

Mr. Mason, from a select committee, made the following re-
 port:

MR. PRESIDENT:—

The select committee to whom was referred,

A bill to incorporate the Memphis, Holly Springs and Mobile
 Railroad Company, with amendments, beg leave to report the
 same back to the Senate, with amendments in lieu of those previ-
 ously adopted, and recommend that the same do pass.

Which was read, and

On motion of Mr. Mason,

Was received and agreed to.

And the amendments therein reported, as follows:

In 2d section of bill add—

And the said Company shall receive and transport the cars of
 any other road with which it may intersect upon the same terms

and in the same manner as is now required by the 13th section of an act of the Legislature of the State entitled,

An act to incorporate the Mississippi Central Railroad Company, approved 15th March, 1852.

Also, the following amendment:

Provided, That when the road of said Company shall pass through any farm or cultivated land, they shall construct such stock pits as may be necessary to prevent the ingress or egress of stock, and shall provide the owner of such farm with necessary private crossings from one portion of his farm to the other, across the line of said road, when notified by such owner of the place where such crossings are needed.

Which amendments were read, and

On motion of Mr. Mason,

They were adopted.

On motion of Mr. Starke,

The rule was suspended,

The amendment considered as engrossed,

The bill read the third time, and passed, as amended.

Ordered, That the title thereof stand as stated.

On motion of Mr. Brasier,

The Senate proceeded to the consideration of the House Messages.

A House bill entitled,

An act to amend an act entitled,

An act to regulate the common schools in the counties of Perry and Green.

Was read the first time.

A House bill to be entitled,

An act to change the time of holding the Probate Court of Lauderdale county,

Was read the first time.

On motion of Mr. McLain,

The rule was suspended, the bill read the second and third time, and passed.

Ordered, that the title thereof stand as stated.

A House bill to be entitled,

An act authorizing the election of members of the Agricultural Bureau.

Which was read the first time.

On motion of Mr. McLain,

The rule was suspended, and the bill read the second time by its title.

On motion of Mr. Wilson,

Said bill was

Referred to a select committee of three.

The President appointed as said committee,

Messrs. Wilson, McLain and Simonton.

A House bill to be entitled,

An act to amend the several acts relating to the charter of the city of Vicksburg,

Was read the first time.

On motion of Mr. Buck,

The rule was suspended, and the bill read the second time by its title, and

Referred to a select committee of three.

The President appointed as said committee,

Messrs. Buck, Harris and Enloe.

A House bill to be entitled,

An act to amend an act entitled,

An act to incorporate the Columbus Building Association,

Which was read the first time.

On motion of Mr. Harris,

The rule was suspended, the bill read a second and third time, and passed,

Ordered, that the title thereof stand as stated.

A bill to be entitled,

An act for the relief of Geo. W. Nail, late tax assessor of DeSoto county.

Was read the first time.

On motion of Mr. Oliver,

The rule was suspended,

The bill considered as engrossed,

Read the second and third times, and passed.

Ordered, that the title thereof stand as stated.

A House bill to be entitled,

An act to change the time of holding the Probate Court of the counties of Bolivar and Washington, and for other purposes.

Was read the first time.

On motion of Mr. Starke,

The rule was suspended,

The bill considered as engrossed,

Read the second and third times and passed.

Ordered, that the title thereof stand as stated.

A House bill to be entitled,

An act to provide for the appropriation of certain State arms.

Was read the first time.

On motion of Gordon,

The rule was suspended,

The bill considered as engrossed,

Read the second and third times, and passed,

Ordered that the title thereof stand as stated.

A House bill to be entitled,

An act to exempt telegraph operators from jury service.

Was read the first time.

On motion of Mr. McLain,

The rule was suspended, and the bill was read the second time by its title.

Mr. McCord offered the following amendment.

After the word "jury," add as follows:

And from working on Public roads.

Which was read,

And the vote being taken upon its adoption, it was lost.

On motion of Mr. Mason,

The rule was further suspended, the bill considered as engrossed, read the third time and passed.

Ordered, that the title thereof stand as stated.

A House bill to be entitled,

An act to amend an act approved March 11th, 1856, entitled an act to repeal an act to incorporate the Grenada Male and Female Academies, approved the 15th day of February, 1839, and the amendatory act thereof, approved the 6th day of February, 1841.

Was read the first time.

On motion of Mr. Brasier,

The rule was suspended,

The bill considered as engrossed,

Read second and third times, and passed.

Ordered, that the title thereof stand as stated.

A House bill to be entitled,

An act to diminish the salary of the Probate Judge of Kemper county.

Was read the first time.

On motion of Mr. Enloe,

The rule was suspended the bill read a second time by title,

On motion of Mr. Enloe,

Said bill was laid on the table.

A House bill to be entitled,

An act to provide for the taking the census of the State of Mississippi in the year 1860.

Was read the first time.

A House bill to be entitled,

An act to repeal an act to prohibit the sale of vinous and spirituous liquors in the town of Grenada, Yallobusha county, and for other purposes, approved March 2d, 1854.

Was read the first time.

On motion of Mr. Brasier,

The rule was suspended the bill read the second time by its title.

On motion of Mr. Gordon,

Said bill was referred to the Judiciary Committee.

A House bill to be entitled,

An act to amend an act to secure the interest on the school fund belonging to the Chickasaw Cession and for other purposes, so

far as the same relates to the counties of Tishomingo, Tippah, Panola and Lafayette.

Was read the first time.

On motion of Mr. Oliver,

The rule was suspended and the bill read the second time by its title

On motion of Mr. Howry,

Said bill was referred to a select committee of three.

The President appointed as said committee,

Messrs. Howry, Buchanan and Oliver.

The following message was received from his Excellency the Governor, through his Private Secretary, Mr. Echols, to-wit:

EXECUTIVE OFFICE,
City of Jackson, Nov. 18, 1859.

MR. PRESIDENT—

His Excellency the Governor, did, on the 17th inst., sign and approve Senate bill entitled,

A bill to be entitled,

An act to provide for the punishment of crimes and misdemeanors,

A bill to be entitled,

An act for the relief of the State's witnesses in the case of the State vs. Jacob Vough, indicted in the county of Warren for murder.

Mr. Buck, from a select committee, made the following report:

MR. PRESIDENT—

The special committee to whom was referred the House bill entitled,

A bill to be entitled,

An act to amend the several acts relating to the Charter of the city of Vicksburg,

Have had the same under consideration and beg leave to report the following as an amendment thereto and recommend the passage of the bill as amended.

Which was read.

And on motion of Mr. Buck,

Was received and agreed to.

And the following amendment therein reported, to-wit:

Amend section 4 as follows:

Provided: That nothing in this section shall repeal the right to impose any tax as now authorized by law; *And provided, further*: That the owners of flatboats shall be taxed only upon the goods, wares and merchandize actually sold by them.

Which was read,

And on motion of Mr. Buck,
Was adopted.

And on motion of Mr. Buck,

The rule was suspended and the bill as amended,
To be entitled,

An act to amend the several acts relating to the Charter of the city of Vicksburg,

Was considered as engrossed, read the third time and passed.

Ordered, That the title thereof stand as stated.

Mr. Mims, by leave, called up,

A bill to be entitled,

An act for the relief of James H. Nichols.

Which was read the second time.

On motion of Mr. Starke,

The rule was suspended, the bill considered as engrossed, read the third time and passed.

Ordered, That the title thereof stand as stated:

Mr. Davis, from the committee on Enrolled Bills, made the following report:

MR. PRESIDENT—

The committee on Enrolled Bills would report that they have examined,

A bill to be entitled,

An act in relation to the estate of Dr. Alexander Byrenheidt, deceased, and for other purposes,

And that they find the same correctly enrolled.

Which was read.

And on motion of Mr. Davis,

Was received and agreed to.

Mr. McRae asked and obtained leave to withdraw the papers accompanying the bill in relation to the estate of Dr. Alexander Byrenheidt, deceased, and for other purposes.

Mr. Rankin asked and obtained leave to call up,

A bill to be entitled,

An act to amend an act entitled,

An act to regulate the common schools in the counties of Perry and Green.

Which was read the second time.

On motion of Mr. Rankin,

The rule was suspended, the bill considered as engrossed, read the third time and passed.

Ordered, That the title thereof stand as stated.

On motion of Mr. Gordon,

Mr. Davis was added to the committee on the Judiciary.

On motion of Mr. West,

Leave of absence was granted to Mr. Buck for several days.

Mr. Catchings moved,

That the Senate adjourn until Monday morning 10 o'clock.

Which motion was lost.

On motion of Mr. Oliver,

The Senate adjourned until to-morrow morning 9 o'clock.

SATURDAY, Nov. 19, 1859.

The Senate met pursuant to adjournment.

The Journal of yesterday was read and approved.

The following message was received from the House of Representatives, through their Clerk, Mr. Brougher.

The House of Representatives have passed the following joint resolution, in which the concurrence of the Senate is desired:

***Resolved*, [the Senate concurring,] That the message of the Governor and accompanying documents on the subject of the Planters' Bank Bonds, be referred to a joint select committee of — on the part of the Senate and five on the part of the House.**

The Speaker has appointed as said committee on the part of the House,

Messrs. Smedes, Ware, Hudson, Rogers and Bradford.

The House of Representatives has passed bills of the following titles, to-wit:

An act to increase the fee for apprehending and convicting runaway slaves in the counties of Tunica, Coahoma, Bolivar, Washington and Issaquena.

An act to relieve the civil disabilities of Caroline Conkey, of Tunica county.

An act to increase the salaries of the Probate Judges of Yallobusha, Lowndes, Monroe and Attala counties.

Mr. Harrison, the Senator from the District composed of the county of Monroe, appeared in his seat this morning.

Mr. Mason, from the committee on Claims, made the following report:

MR. PRESIDENT—

The joint standing committee on Claims, to whom was referred the bill for the relief of Nathan Spears,

Have had the same under consideration and have instructed me to report said bill back to the Senate with the recommendation that it do pass.

Which was read.

And on motion of Mr. Mason,

Was received and agreed to.

And the bill therein reported,

To be entitled,

An act for the relief of Nathan Spears,

Was read the second time.

On motion of Mr. Mason,

The rule was suspended, the bill considered as engrossed, read the third time and passed.

Ordered, That the title thereof stand as stated.

Mr. Buchanan, from the committee on Propositions and Grievances, made the following report :

MR. PRESIDENT—

The committee on Propositions and Grievances to whom was referred,

A bill to remove the civil disabilities of Jesse C. Mott, a minor of Jones county,

Have had the same under consideration and have instructed me to report the bill back to the Senate and recommend that it do not pass.

Which was read,

And on motion of Mr. Buchanan,

Was received and agreed to.

Mr. McLain, from a select committee, made the following report :

MR. PRESIDENT—

The special committee to whom was referred House bill for the repeal of an act for the suppression of tippling houses in the county of Clarke,

Have had the same under consideration and instruct me to report the bill back to the Senate with the accompanying amendment, and recommend the passage of the bill with the amendment.

Which was read,

And on motion of Mr. McLain,

Was received and agreed to.

The amendment therein reported, to-wit :

Amend at the end of section first as follows :

So far as the same applies to the town of Quitman, in said county ; and that the provisions of the State law regulating the sale of vinous and spiritous liquors contained in the Revised Code, on pages 197, 198, 199, 200 and 201, be and hereby are applied to said town of Quitman,

Was read,

And on motion of Mr. McLain,

Was adopted.

On motion of Mr. McLain,

The rule was suspended, the amendment considered as engrossed, the bill as amended, to-wit :

A bill to be entitled,
An act to repeal the act to suppress tippling houses in the county of Clarke and for other purposes.

Was read the third time and passed.

Ordered, That the title thereof stand as stated.

Mr. Neill, by leave, introduced,

A bill to be entitled,

An act in relation to warrantees on the sale of slaves.

Which was read the first time.

On motion of Mr. Gordon,

Said bill was laid on the table and one hundred and fifty copies ordered to be printed for the use of the Legislature.

Mr. Rankin, by leave, introduced,

A bill to be entitled,

An act to quiet titles to swamp and overflowed lands in Covington county.

Which was read the first time.

On motion of Mr. Rankin,

The rule was suspended, the bill read the second time by its title and referred to the committee on the Judiciary.

Mr. Starke, by leave, offered the following resolution :

Resolved, That the Secretary be instructed to request the House of Representatives to return to the Senate a bill to increase the salary of the Probate Judge of Washington county.

Which was read and adopted.

Mr. Enloe, by leave, introduced,

A bill to be entitled,

An act to amend the eighteenth section of the fourth article of the Constitution of this State.

Which was read the first time.

On motion of Mr. Enloe,

The rule was suspended, the bill read the second time by its title and referred to the committee on the Judiciary.

The following message was received from the House of Representatives, through their Clerk, Mr. Brougher,

MR. PRESIDENT—

The House of Representatives has adopted the following joint resolution, in which the concurrence of the Senate is desired :

Resolved, [the Senate concurring,] That a joint select committee of five on the part of the House and — on the part of the Senate, be appointed to make all necessary arrangements for the Inauguration of the Governor elect.

The committee on the part of the House are,

Messrs. Barksdale, Scales, Hill, Ellis of Covich, and Purdom.

On motion of Mr. Starke,

The Senate forthwith proceeded to the consideration of said message.

And the resolution therein reported was read the first time.

On motion of Mr. Starke,

The blank in said resolution was filled with the number three.

And on motion of Mr. Starke,

The rule was suspended the resolution read the second time and concurred in.

The President appointed as said committee on the part of the Senate,

Messrs. Starke, Davis and McLain.

Mr. Starke, by leave, called up House message and joint resolution therein appointing a joint select committee of five on the part of the House and — on the part of the Senate, on the message of the Governor relative to the Planters' Bank Bonds,

Was read the first time.

On motion of Mr. Starke,

The blank in said resolution was filled with the number three.

And on motion of Mr. Starke,

The rule was suspended the resolution read the second time and concurred in.

The President appointed as said committee on the part of the Senate,

Messrs. Gordon, Oliver and McCord.

On motion of Mr. Starke,

The Governor's message relative to the Planters' Bank Bonds and accompanying documents were called up and referred to the joint select committee just appointed on said message.

Mr. Ellett, from the committee on the Judiciary, made the following report :

MR. PRESIDENT—

The Judiciary Committee to whom was referred,

A bill, from the House of Representatives, entitled,

An act to repeal an act to prohibit the sale of vinous and spiritous liquors in the town of Grenada, Yallobusha county, and for other purposes, Approved March 2, 1854.

Have had the same under consideration, and have instructed me to report the same back and to ask to be discharged from the further consideration of the subject.

Which was read,

And on motion of Mr. Ellett,

Was received and agreed to.

And the bill therein reported,

To be entitled,

An act to repeal an act to prohibit the sale of vinous and spiritous liquors in the town of Grenada, Yallobusha county, and for other purposes.

Was read the second time.

On motion of Mr. Gordon,

Said bill was recommitted to a select committee of three.

The President appointed as said committee,
Messrs. Gordon, Brasier and Howry.

Mr. Starke gave notice that he would, on to-morrow, move a reconsideration of the vote of the Senate passing a House bill,
To be entitled,

An act to increase the salary of the Probate Judge of Washington county.

The following message was received from his Excellency, the Governor, through his Private Secretary, Mr. Echols, to-wit :

EXECUTIVE OFFICE, }
City of Jackson, Miss., Nov. 19, 1859. }

MR. PRESIDENT :—

I am directed by his Excellency, the Governor, to communicate the enclosed message in writing, with the accompanying petition.

Which message and accompanying documents were laid on the table without reading.

On motion of Mr. Oliver,

The Senate proceeded to the consideration of the House message.

A House bill to be entitled,

An act to remove the civil disabilities of Caroline Conkey of Tunica county.

Was read the first time.

On motion of Mr. Oliver,

The rule was suspended the bill read the second and third times and passed.

Ordered, That the title thereof stand as stated.

A House bill to be entitled,

An act to increase the fee for apprehending and committing runaway slaves in the counties of Tunica, Coahoma, Bolivar, Issaquena and Washington.

Was read the first time.

On motion of Mr. Oliver,

The rule was suspended and the bill read the second time by its title.

On motion of Mr. McCord,

Said bill was referred to a select committee of three.

The President appointed as said committee,

Messrs. McCord, Catchings and Starke.

A House bill to be entitled,

An act to increase the salary of the Probate Judges of Yallobusha, Lowndes, Monroe and Amite counties,

Was read the first time.

On motion of Mr. Gordon,

The rule was suspended and the bill read the second time by its title.

On motion of Mr. Harris,

Said bill was referred to a select committee of three.

The President appointed as said committee,

Messrs. Harris, Harrison and Gordon.

Mr. Gordon asked to be excused from serving on the committee raised on the Governor's message relative to the Planters' Bank Bonds.

The vote being taken upon excusing him, the motion was lost.

On motion of Mr. West,

Mr. Oliver was added to the committee on the Executive Contingent Fund.

On motion of Mr. Davis,

The Senate adjourned until Monday morning 9 o'clock.

MONDAY, Nov. 21, 1859.

The Senate met pursuant to adjournment.

The Journal of Saturday was read and approved.

Mr. Starke called up,

A House bill for the increase of the salary of Probate Judge of Washington county, but the bill not having been returned from the House,

Mr. Starke moved a reconsideration of the bill.

Which motion was adopted.

Mr. Harrison asked and obtained leave of absence for Mr. Thomson.

Mr. Simonton introduced the petition of B. L. Owen of Itawamba county,

Which was read,

And referred to a select committee of three.

The President appointed as said committee,

Messrs. Simonton, Neill and Buchanan.

Mr. Ellett, from the committee on the Judiciary, made the following report,

Which was received and agreed to.

MR. PRESIDENT :—

The committee on the Judiciary, to whom was referred,

A House bill entitled,

An act to amend chapter VIII. of the Revised Code, so far as it applies to the Probate Clerk of Adams county,

Have had the same under consideration, and have instructed me to report the same back and recommend that the same do not pass.

Mr. Ellett, also, made the following report as Chairman of the Judiciary Committee,

MR. PRESIDENT—

The committee on the Judiciary to whom was referred,

A Senate bill entitled,

An act to extend the time for holding the Police Court of Tishomingo county.

Have had the same under consideration, and have instructed me to report the same back, and to ask that the committee be discharged from the further consideration of the subject.

On motion of Mr. McCord,

The bill referred to in the above report,

Was read the third time and passed.

Ordered, That the title thereof stand as stated.

Mr. Ellett, Chairman of the Judiciary Committee, made the following report,

Which was received and agreed to :

MR. PRESIDENT—

The committee on the Judiciary to whom was referred,

A House bill entitled,

An act for the relief of the purchasers of the sixteenth sections in the county of Green, and for other purposes,

Have had the same under consideration, and have instructed me to report the same back, and to ask that the committee be discharged from the further consideration of the subject.

On motion of Mr. Rankin,

The rule was suspended, the bill referred to in the above report,

Was read the third time and passed.

Ordered, That the title thereof stand as stated.

Mr. Ellett, Chairman of the Judiciary Committee, made, also, the following report :

MR. PRESIDENT—

The committee on the Judiciary to whom was referred,

A Senate bill entitled,

An act to repeal section 14, article 65 of an act entitled,

An act in relation to the public revenue, so far as the same relates to the county of Leake,

Have had the same under consideration, and have instructed me to report the same back, and to recommend that the same do not pass.

On motion of Mr. Huie,

Said bill was referred to the committee on Finance.

Mr. Ellett, Chairman of the Judiciary Committee, made the following report:

MR. PRESIDENT—

The committee on the Judiciary to whom was referred,
A bill from the House of Representatives entitled,
An act for the relief of Ann Eliza Austin,
Have had the same under consideration, and have instructed me to report the same back, with an amendment to the first section thereof, and to recommend the adoption of said amendment, and the passage of the bill as amended.

Which was received and agreed to.

And on motion of Mr. Ellett,

The bill was read as amended and passed.

The title standing as stated.

Mr. Ellett, Chairman of the committee on the Judiciary, made the following report:

MR. PRESIDENT—

The committee on the Judiciary to whom was referred,

A Senate bill entitled,

An act for the relief of Martha W. Alford and her two minor children, John Dudley Alford and James William Alford,

Have had the same under consideration, and have instructed me to make the following report:

The petition of Mrs. Alford represents that, by the homestead exemption law and other statutes, she became seized and possessed, for and during the term of her natural life, of seventy acres of land, and the bill proposes to confer upon the Probate Court of Lowndes county, the power, with the consent of Mrs. Alford, to order a sale of the real estate of said Mrs. Alford and her two minor children.

It is unnecessary to inquire what interest the widow has in the property. If she has any interest that is a proper subject of sale, she has full capacity to sell and convey it, without the aid of an act of the Legislature or a decree of the Probate Court. And, besides, the Legislature could not confer any such jurisdiction upon the Probate Court under the Constitution, even with her consent.

As to the interest of the minor children, the general law of the State, to be found in articles 151 and 154 of chapter 60 of the Revised Code, already confers on the Probate Court full power, by plain and intelligible provisions, to do all that is asked for by this bill. If it were to pass, it would be necessary to proceed under the general act, for it contains no directions as to the manner of instituting or of conducting the proceedings. The committee do not propose amendments to it in this respect, because all they could do would be to recommend the enactment for this particular

case, of the language of the general law by which it is already fully embraced.

The committee do not perceive that the interest or convenience of the parties can in the slightest degree be promoted by the passage of the bill, and they, therefore, recommend that it do not pass.

The following message was received from the House of Representatives, through their Clerk, Mr. Brougher,

MR. PRESIDENT—

The House of Representatives has concurred in the Senate amendments to the House bills entitled,

An act to incorporate the Memphis, Holly Springs and Mobile Railroad Company.

An act to amend the several acts relating to the Charter of the city of Vicksburg.

The House also passed the Senate bill entitled,

An act to authorize the School Commissioners of De Soto county to apply the surplus common school funds of said county to the next most needy class of applicants.

The House has also passed bills of the following titles:

An act for the relief of A. B. Montgomery and Bayless P. Shelly.

An act to repeal the 12th article of the 8th chapter of the Revised Code, so far as the same relates to the county of Jasper.

An act to authorize the removal and location of the seat of justice of Jasper county.

The House of Representatives has adopted the following joint resolution, in which the concurrence of the Senate is desired:

Resolved, [the Senate concurring,] That the Rule establishing the joint committee on Printing be so amended as to read as follows:

There shall be a joint standing committee on Printing, composed of three members on the part of the Senate and five members on part of the House, to which shall be referred, as of course, all motions to print any document, message or report, other than bills and reports of committees of either House, and reports made to either House, in answer to a call for information for its own use.

Mr. Ellett called for the reading of the bill,

To be entitled,

An act for the relief of Martha W. Alford and her two minor children, John Dudley and James William Alford.

Mr. Howry moved,

To lay the bill on the table and make it the special order of the day for Tuesday 3 o'clock.

Which motion was adopted.

Mr. Starke, from the committee of Arrangements for the Inauguration of the Governor elect, made his report as follows :

**PROGRAMME FOR THE INEGURATION OF GOVERNOR ELECT, ON
MONDAY, NOVEMBER 21, 1859.**

The Joint Select Committee of both Houses of the Legislature, consisting of Messrs. Starke, Davis and McLain, on the part of the Senate, and Messrs. Barksdale, Scales, Hill, Ellis of Copiah, and Purdom, on the part of the House, appointed to wait on the Hon. J. J. Pettus, Governor elect of Mississippi, inform him of his election, and make suitable arrangements for his inauguration, have, in performance of their duties, reported the following order of arrangements :

The installation shall take place at 11 o'clock A. M., on Monday 21st instant.

The installation shall take place, and the oath of office shall be administered by the Chief Justice, or one of the Judges of the High Court of Errors and Appeals, in the presence of the two houses, in the Hall of the House of Representatives.

At half past 10 o'clock A. M., a procession shall be formed in front of the Executive Mansion, under the command of Major Richard Griffith, as marshal of the day, and shall march thence to the Capitol gate in the following order :

1. A band of music.
2. The Volunteer companies present.
3. The Governor and Governor elect.
4. The Committee of Arrangements.
5. The Judges of the High Court and Attorney-General.
6. The State officers and other distinguished persons,

On arriving at the Capitol gate, the procession, subject to the orders of the marshal of the day, shall await the announcement of the Sergeant-at-Arms to the Governor elect that the two Houses are convened and ready to receive him.

The Governor elect, the Governor, the Committee of Arrangements, the Judges of the High Court, and the Attorney-General, and the State officers preceded by the Sergeant-at-Arms, shall then proceed to the Representatives Hall. On arriving at the bar of the Hall the Sergeant-at-Arms shall announce the Governor elect. On which announcement the members of the Senate and House shall rise to their feet, and the President of the Senate and the Speaker of the House, shall descend from the stand and conduct him to the Clerk's desk.

Mr. Thames, from a select committee, made the following report,

Which was received and agreed to.

MR. PRESIDENT:—

The joint standing committee on the Treasurer's Office, State Commissioner's and the Executive Contingent Fund,

Have examined the contingent fund and instructed me to report, that the whole amount appropriated for the contingent fund for two years, was eight thousand dollars, that the amount expended was seven thousand seven hundred and twenty-four dollars and fifty-one cents, leaving a balance in the Treasury to the credit of said fund of \$275.49. Your committee examined the books and vouchers for the disbursement of said fund and found them all correct.

Mr. Ellett, Chairman of the Judiciary Committee, made the following report:

MR. PRESIDENT—

The committee on the Judiciary to whom was referred the bill,
To be entitled,

An act to repeal articles 54, 55 and 56 of section 8, chapter 35, of the Revised Code,

Have had the same under their consideration, and have instructed me to report the same with an amendment thereto, and recommend that said amendment be adopted and that the bill as amended be passed.

On motion of Mr. Ellett,

The consideration of the bill and amendment thereto was postponed till to-morrow 3 o'clock.

Ordered, That 200 copies of the bill with the amendment be printed for the use of the Legislature.

Mr. West introduced,

The following joint resolution,

Which was read and adopted,

Resolved, by the Senate, [the House concurring,] That no more revenue should be collected, by means of taxation, than is absolutely necessary for the economical administration of the State Government in its ordinary expenses; therefore, as the amount now collected exceeds the sum necessary as aforesaid, the committee on Finance be and are hereby requested to report a bill at an early day reducing the taxes of the State to a strict revenue standard; it being the sense of the Senate that a surplus in the Treasury induces combinations of corrupting tendencies, which militate greatly against wholesome legislation; it also gives vitality to combinations which, with the perquisites of office and the prodigality of governments are perpetuated even at the sacrifice of the interest of the industrial classes.

Mr. Harrison introduced a local bill,

To be entitled,

An act for the relief of J. H. Anderson, Tax Collector of Monroe county, |

Which was read the first time.

The rule was suspended,

On motion of Mr. Drane,

The bill read a second time and

Referred to the committee on Claims.

Mr. Howry, from a select committee, made the following report:

MR. PRESIDENT—

The select committee to whom was referred,

A bill to be entitled,

An act to amend an act to secure the interest on the school fund belonging to the Chickasaw Cession and for other purposes, so far as the same relates to the counties of Tishomingo, Tippah, Panola and Lafayette.

Have had the same under consideration, and have instructed me to report the same back to the Senate, with the following amendment, to-wit,

Strike out in the 4th line after the enacting clause, "six and twenty-one," and insert in lieu thereof, "eight and eighteen."

In section 4, in tenth line, after the word "examined," insert the words "and allowed"—and recommend that the bill and amendments do pass.

Which was read, received and agreed to.

And the amendments thereto adopted.

The following message was received from the House of Representatives, through their Clerk, Mr. Brougher,

MR. PRESIDENT—

I am instructed by the House of Representatives to inform the Senate that the Hall of the House is now in readiness for their reception, to the end that the two Houses proceed to the Inauguration of the the Governor elect.

Mr. Mason moved,

To extend the benefit of the foregoing act to the county of Marshall.

On motion of Mr. Starke;

The consideration of the bill was suspended, for the purpose of complying with the joint resolution of the House.

On motion of Mr. Neill,

The Joint House Resolution was taken up and concurred in, and the Senate, with the President and Secretary, repaired to the Representative Hall for the purpose indicated in said resolution.

Both Houses having assembled, proceedings were had in accordance with the programme adopted by the committee of arrangements for the inauguration of the Governor elect.

At 11 o'clock the Sergeant-at-Arms announced the Governor elect.

Whereupon, the President of the Senate and the Speaker of

the House of Representatives proceeded to conduct him to the stand.

Prayer was offered by the Rev. Dr. Drake.

After which, his Excellency, the Hon. Wm. McWillie, introduced to the Legislature and to the citizens generally, the Hon. John J. Pettus, Governor elect of the State of Mississippi, who proceeded to deliver his Inaugural Address, as follows :

INAUGURAL ADDRESS.

SENATORS AND REPRESENTATIVES,
OF THE STATE OF MISSISSIPPI:

Called by the people to exercise, for a time, the chief executive power of the State, I appear before you to take the oath of office prescribed by the Constitution. Conforming to the custom which has obtained on similar occasions, in both Federal and State Governments, I propose, briefly, to present to you some indications of the principles and policy which are to govern the administration now being inaugurated. It were needless for me to say here, that I will obey the Constitution; for that must be said by all who govern this people, in a more solemn form than a mere public declaration; yet it might be appropriate to dwell for a moment on this leading feature of the American system of governments. In the Republics of ancient times, unbridled majorities were often as unjust and tyrannical as the most despotic monarchs, dooming to death or banishment the wisest and best of their citizens at the caprice of an excited populace. We, more fortunate, have our rights defined by a written organic law, which holds in check excited majorities of Legislatures and people, until "the sober second thought" comes to the aid of justice; and minorities and individuals may repose in safety, as long as the people have intelligence and virtue enough among them to uphold the Constitution in letter and spirit. Entertaining these opinions it shall be my studious care to obey the requirements of the Constitution, and to exert all the power given me as Governor to enforce obedience to its behests. For Governments like ours, the intelligence of the people is the only secure foundation; without it Republics are but houses built upon the sand. The education of the youth should then be regarded as an object of the first magnitude, to be promoted by the untiring efforts of those who govern the State. Upon our success in this, rest all the hopes that can be reasonably entertained of the stability of our institutions. An unwise Government makes an unhappy and powerless people. An ignorant people cannot govern themselves wisely. For these reasons it will afford me pleasure to

co-operate with the Legislature in giving that prominence which it justly deserves to the clause in our Constitution which declares "that schools and the means of education shall forever be encouraged in this State."

What education is to the Government, an enlightened agriculture is to the pecuniary prosperity of the State ; the heart from which flows the life-giving blood through every artery of the industrial system. Check its pulsations and all other branches of industry languish ; invigorate and strengthen it, and new life and vigor are diffused through every trade and profession that make up the industrial avocations of men. It is a matter of congratulation with all who think wisely for the good of the State and the prosperity of the people, that this noblest branch of human industry is at last receiving from the Government a part of that attention which it has always deserved. And hopes are confidently entertained, that the light of science will speedily be brought to the aid of the husbandman—throughout the land, and many useful "tearless victories" will be won on that field for the benefit of all. Too much importance cannot be given to this subject ; and the Legislature could hardly err in making the most liberal appropriations for its advancement.

The most delicate trust conferred on the Executive, is that which brings to him the undivided responsibility (which he may not share with any other department,) of setting aside the judgments of courts and verdicts of juries and staying the execution of the criminal law. Believing that the pardoning power was given to the Governor that the ends of justice might be more surely attained, I shall ever keep this in view as the cardinal point to be aimed at in its administration. Justice is beautiful, and it shall be done, if by searching I may find out.

Among the most important powers conferred on the Chief Magistrate, is the veto power. The intelligence and wisdom of the Legislature have rendered the exercise of this power of rare occurrence for several years past, and I indulge the hope that the unpleasant necessity for its interposition may not arise during my term of office. But should it become necessary by the presentation of legislation for my approval which, in my opinion, is either unconstitutional or improvident, I shall deem it a duty which I owe to myself, to the people who have honored and trusted me, and who have imposed on me a responsibility to them alike with that of the legislative department, for the passage of all legislation which is to effect their interests—respectfully to ask the Legislature to reconsider it before it becomes a law.

In regard to the system of Internal Improvements in this State, now so rapidly progressing to completion, I will only say that I co-operated as a legislator with those who aided them most ; and I now, as Governor, tender my continued co-operation in any just measures which may be devised for their advancement and com-

pletion. It seems but yesterday, when Mississippi was taunted with being behind her sister States in works of internal improvement; but, considering her age as a State, only a few years will elapse before she is the foremost of all in this respect, as we hope one day to see her in everything that makes a State great, prosperous and happy.

As Mississippians, we may well look with pleasure and pride at the rapid strides by which our State is approaching the front rank among her sister States, and draw encouragement from the past, to renewed efforts for her advancement. But if our efforts in that behalf tend only to enrich and adorn her, to become a magnificent part of the conquest which is to result from that "irrepressible conflict," I must confess that I would look with but little pleasure and less pride on her growing greatness.

I cannot consent to close this address without giving to my fellow-citizens, my views in relation to the most important subject ever presented for the consideration of the people of Mississippi. The difference in opinion between the Northern and Southern States on the subject of African Slavery grew rapidly to an angry controversy, then to a political conflict, and recently, has assumed the form of a physical conflict in one of the Southern States. While it is true that the handful who thus rashly attempted to put the Black Republican creed into practical operation in a slave State, have been crushed, it is equally true that in this as in many other instances of the administration of human justice the Andrie's only are hanged whilst the Arnold's escape punishment, and are left unchecked in their career of treason to their country.

The scene at Harper's Ferry is not the end, but in my opinion only the beginning of the end of this conflict. I will not weary your patience with the oft-repeated history of the origin and progress of this controversy. It is enough for my present purpose to state the fact that after more than twenty years of untiring labor, the anti-slavery party has obtained the control of the State Governments of nearly all the non-slaveholding States. And while churches, societies and individuals at the North are inciting the people to acts of lawless violence in resisting the law for the return of fugitive slaves; while thefts, robberies and murders are being committed within their limits to defeat its execution, those State governments either aid them in their nefarious work, look approvingly on, or at best stand idly by without any serious effort to prevent this continued violation of the constitutional rights of Southern citizens or punish those who violate them. The Federal Government, to which we formerly looked for the protection of our rights beyond the limits of our own State, seems either unwilling or unable to guard the rights or redress the wrongs of slaveholders. But, be this as it may, that government still holds the purse and the sword of the confederated States, and these wrongs are not redressed. The Southern citizen, left to this un-

equal contest for his property with societies, churches and States, must abandon his right for want of an adequate remedy, unless the Southern States make the cause of the citizen, the cause of the State, and enforce his constitutional rights by retaliating on the citizens of those States that have passed laws to defeat the rendition of fugitive slaves.

But this is only one of the many modes by which the anti-slavery party is pressing forward the war on the institution of slavery, emboldened by the impunity with which they have been permitted to rob the South, they are now gathering their forces to take under their control the powers of the Federal Government to pervert it from the plain purposes of its creation into an engine for the destruction of the interests of the South. The one great idea that forms the basis of their creed and the end of their labors, is that the African race is by nature and ought to be by law the social and political equal of the white race; and to this abolition Baal, the rights of individuals and the rights of the States are to be sacrificed, and the South compelled to tolerate if she cannot be persuaded to approve.

They are untiring in their efforts, and are using all the means most likely to accomplish their purposes; and, in my opinion, will succeed if unchecked by some action on the part of the Southern States of a more united and determined character than any heretofore opposed to them. If the anti-slavery party control the Federal Government, it requires no prophet to foretell the fate of the South. Two thousand millions of productive capital is at once taken from her; lands become of little or no value; commerce is destroyed—her credit gone—the South will lie prostrate, impoverished and powerless at the feet of a Black Republican Government—administered by men educated to hate the white race. Add to this the probable enforcement here of the same policy in relation to the social equality of the races which has disgraced the statute book of Massachusetts, and degraded her people to a level with the Africans, and the evil becomes intolerable, and I turn from it to any remedy that God or nature may put in our hands. Can we rely on the counsels of the wise and patriotic men of the North to avert this greatest of all calamities? Their Websters, Everetts and Fillmores, have in vain in past years persuaded them to respect our rights and obey the requirements of the Constitution.—The Sowards, the Sumners and the Burlingames, now fill their places—disregard the true interests of their country and zealously pander to the fanaticism which elevated them to power. Will a love of justice restrain them? Those who look for a returning sense of justice must be disappointed. A mere sense of justice does not control the actions of a majority of States or people, and in these States a majority rules, and I cannot call to mind any thing in the history of the Puritan fathers or their descendants which should lead reasonable men to hope to find in them an ex-

ception to the general rule: but much to induce the belief that the Slaveholder of this day would share the fate of the Baptists and Quakers of other days, when the Black Republican shall make the law to govern him; unless the Quaker policy heretofore pursued by the South, shall be changed for one better suited to the character of our assailants, and the vital importance of the rights assailed.

Can the Constitution be relied on as a safe-guard to our rights, when the Black Republican party is in power? The Constitution is inanimate parchment, powerless to restrain law-makers who cannot be bound by their oaths. Have not the Black Republican leaders continually disregarded their oaths, when the right to property in slaves was involved? Will they not, in the language of one of the framers of the Constitution, "take the power they wish to exercise, and escape the punishment, if not the guilt of perjury, by saying the Constitution means just what they wish to do? The idea of binding them by oaths to uphold the constitutional guaranties for slave property, is puerile; and expectation, that the institution of slavery will be saved from destruction by the barriers of the Constitution when the Black Republican party control the affairs of the Federal Government, is as vain as the prayer of the heathen to his wooden God.

What then is the remedy? There is a power yet untried which I believe can repress this conflict and save the rights of the South and the Union of the States. And that is the moral influence of a united South, presenting an unbroken front in defense of their constitutional rights, and preparing to resent further insults and unyieldingly resist further aggressions. Let the South, with one voice, answer Mr. Seward's summons to surrender to his Black Republican dogma of equality of the negro to the white man; and with mingled defiance and derision, say to him that on that issue they are willing and prepared to meet him in argument or in arms; and that the sectional banner he unfurls, inscribed with "Equality of Races," shall be met by the national banner, inscribed "Superiority and Supremacy of the White Race."

To this banner will rally a million of free white men in the North, and the cry of "save this glorious Union" will be raised even in the Black Republican camp; and throughout the Northern States, that motive power of self-interest, combined with justice and patriotism will be awakened to renewed energy and activity; and before these, when thoroughly aroused, the league of ambition and fanaticism must go down.

Let the attitude of the South demonstrate to the Northern people that following the lead of Abolition chiefs will deprive them of all the advantages and emoluments they now derive from an unrestricted commercial intercourse with the Southern States; and self-preservation will compel them to retrace their steps and do justice to the South. Will this course not endanger the Union?

I solemnly believe it will not. It is, in my opinion, the only course remaining to the South by which she can preserve her rights and the Union. But should it endanger the Union, must we stand still while our enemies are actively prosecuting a war upon us? and be deterred from adopting any vigorous measures for necessary defence by the fear that the form of Government might be endangered? Are we in the middle of the nineteenth century to re-enact the stupid folly of the superstitious Egyptians at the siege of Pelucium, when Cambyces invaded Egypt and found it necessary to take the city of Pelucium before he could penetrate into the heart of the kingdom? Knowing that only Egyptians defended the walls, he placed in front of his attacking columns many animals held sacred by that people, and the Egyptian garrison, fearing to wound one of those holy animals, threw no dart, shot no arrow—and the city was taken without a blow.

If our strongholds are garrisoned only by those who hold the Union so sacred that it must not be endangered by any measures of necessary self-defence; if no gun is to be prepared or fired at the advancing enemy lest it might jar some pillar of this sacred Union, the fate of Pelucium will be our fate, and the fate of Egypt must be the fate of the South. The leaders of the "irrepressible conflict" have but to marshal their forces and march to a bloodless conquest. If the conquest is irrepressible, if a disgraceful and ruinous subjugation, or a triumphant resistance are the only alternatives offered us, my counsel is to begin now to prepare to meet it; and if peaceful means cannot prevent the meddling Yankee from laying hands on our institution, repel their attacks by force; and if the Union fall in the conflict, it will only crush those who are the authors of the strife.

I am aware that I touch rudely the most cherished sentiments of some of my fellow-citizens, who have been taught to regard the Union as the paramount political good, and who believe that the Union of these States cost all the sacrifices made by the sires of the Revolution.

I draw a different lesson from the history of that conflict. The fact that looms up on our vision, great and palpable as a mountain, is this—that "the battles of the Revolution were fought, not that the colonies might be united, but that the colonies might be free," and perish my name among men if ever I am found setting the form of the government above the freedom of this people.

If the warning voice of the united South be unheeded; if the fear of losing the many advantages they now derive from this Union be insufficient to restrain a sectional majority from manifesting their hostility to our institutions by the election of a Black Republican to the Presidency of the United States, I shall regard the institution of slavery so seriously threatened as to justify Mississippi in asking for a Convention of all the States interested in its perpetuation, for the adoption of such measures as the rep-

representatives of the Southern States may deem necessary for the preservation of that right which was bought for us with the blood of our Revolutionary sires, and which we cannot surrender without pecuniary ruin and political degradation—the right to govern ourselves.

To this council I hope Mississippi will send her truest and best men; and when a line of policy shall have been marked out, that she will be found among the foremost of the defenders of the South, unawed by the threats of her open enemies, unseduced by pretended friends, who seek to induce her to buy a temporary respite by fatal concessions, that she will be found willing and ready to maintain her inalienable right of self-government, even if compelled to defend it by a war as long as that by which it was first purchased. To nerve and sustain her in such a conflict the South has a better cause, double the population and twenty times the resources of the thirteen colonies, and if we have only half their courage we may yet remain free.

That wisdom may direct our councils, that all our acts may tend to the promotion of the safety and happiness of the people, let us invoke the aid of the Supreme Being, without whose blessing patriots, statesmen and warriors may be "faithful, wise and brave in vain."

JOHN J. PETTUS.

Chief Justice C. Smith administered the oath of office to his Excellency, Governor J. J. Pettus.

The President of the Senate announced the object of the joint assemblage of the two Houses as having been accomplished, and directed the Senators to repair to their chamber.

They accordingly re-assembled in the Senate Chamber.

On motion of Mr. Howry,

The Senate adjourned until 3 o'clock P. M.

THREE O'CLOCK P. M.

The Senate met pursuant to adjournment.

Mr. Wilson presented the claim of John M. Aycock, of Pontotoc county,

Which was referred to the committee on claims, without reading.

Mr. Howry moved to resume the consideration of the bill entitled,

An act to amend an act to secure the interest on the school fund belonging to the Chickasaw cession and for other purposes, so far as the same relates to the counties of Tishomingo and Tappan.

On motion of Mr. Wilson,

The bill was laid on the table for the present.

Mr. Wilson, from a select committee, made the following report ;

MR. PRESIDENT—

The select committee to whom was referred,

A House bill authorizing the election of members of the Agricultural Bureau,

Have had the same under consideration, and have instructed me to report the accompanying bill by way of substitute for the bill referred, and recommend that the same do pass.

The substitute bill was read the first time,

And under a suspension of the rules was read the second and third time, and passed,

The title thereof standing as stated.

Mr. Gordon introduce the following resolution,

Resolved, That it is the sense of the Senate, that ten thousand copies of the Inaugural Address of the Governor, this day delivered, be printed for the use of the Legislature.

Mr. Oliver offered the following substitute for Mr. Gordon's resolution.

Resolved, That the joint standing committee on printing be instructed to inquire into the expediency of printing ten thousand copies of the Governor's Inaugural Address, for the use of the Legislature.

Mr. Harrison offered the following amendment, or substitute.

Resolved, That the Senate recommend the joint standing committee on printing to report an order to print ten thousand copies of the Inaugural Address for the use of the members of the Senate.

On motion of Mr. West,

The amendments and substitutes were laid on the table.

The following message was received from the House of Representatives, through their Clerk, Mr. Brougher,

MR. PRESIDENT—

The House of Representatives has passed the following bills, to-wit :

A bill to be entitled,

An act authorizing a change of venue in the case of the State vs. Giles and Emanuel, and for other purposes.

An act for the relief John W. Brasier and family.

An act to repeal in part article 4, chapter 9, of the Revised Code.

An act for the purpose of changing the time of holding the Circuit Courts in the 1st and 2d Judicial Districts of the county of Hinds, and for other purposes.

Mr. Gordon made the following report :

MR. PRESIDENT :—

The select committee to whom was referred,

The bill to be entitled,

An act to repeal an act to prohibit the sale of vinous and spirituous liquors in the town of Grenada, Yallobusha county, and for other purposes, approved March 2d, 1854.

Have had the same under consideration, and have made an amendment thereto, and have instructed me to report the same as so amended, and recommend that it do pass.

Which was read.

And the amendment therein reported, was read and adopted.

On motion of Mr. Howry,

The bill as amended,

Was read the second time.

On motion of Mr. Gordon,

The rule was further suspended, and the bill was read the third time.

On motion of Mr. West,

The bill was re-committed to the same committee.

Mr. Drane introduced,

A bill to be entitled,

An act to authorize and require the Board of Police of Choctaw county to hold an election in certain townships in said county for the purpose expressed in this act.

Which was read,

On motion of Mr. Drane,

The rule was suspended and the bill read the second time by its title

And referred to a select committee of three.

The President appointed as said committee,

Messrs. Covington, Harris and Harrison.

On motion of Mr. Gordon,

The Senate adjourned until to-morrow morning at 9 o'clock.

TUESDAY, Nov. 22, 1859.

The Senate met pursuant to adjournment.

The Journal of yesterday was read.

Mr. Ellett presented the petition of sundry citizens of Claiborne county, praying for the expulsion or the economic subordination of the free negroes in this State,

Which was read, and

On motion of Mr. Ellett,

Was ordered to lay on the table.

Mr. Mason presented the petition of Lawrence Johnson and J. R. Carroll, of Marshall county, which was

Referred to the committee on the Judiciary,

Without reading.

Mr. Ellett, from the committee on printing, made the following report:

MR. PRESIDENT:—

The joint standing committee on printing to whom was referred the Senate resolution in favor of the printing of the Inaugural Address of his Excellency, Governor Pettus,

Have had the same under consideration, and have instructed me to report the following joint resolution, and to recommend its adoption.

Mr. Ellett moved that the report be received and agreed to.

Mr. Starke called for a division of the question.

The vote was first taken on receiving the report,

Which was decided in the affirmative.

The vote was next taken on agreeing to the report,

Which was decided in the affirmative.

The resolution therein reported, to-wit,

Resolved, By the Legislature of the State of Mississippi, That five thousand copies of the Inaugural Address of Governor Pettus be printed for the use of the Legislature, to be equally distributed among the members,

Was read the first time.

Mr. Gordon offered the following amendment:

Strike out "five" and insert "ten."

Which was read.

And the question being taken upon its adoption, it was lost by yeas and nays, as follows:

YEAS—Messrs. Buchanan, Davis, Enloe, Gordon, Harrison, Howry, Huie, Mims, McRae, Neill, Quin, Rankin, Starke, and Thames—14.

NAYS—Mr. President, Messrs. Brasier, Catchings, Covington, Chrisman, Harris, McLain, Mason, McCord, Oliver, Simonton, Talliaferro, West and Wilson—14.

On motion of Mr. Gordon,

The rule was suspended, the resolution read the second time and adopted.

Mr. Mason, from a select committee, made the following report:

MR. PRESIDENT:—

The select committee to whom was referred,

A bill to be entitled,

An act to incorporate the Holly Springs Life and General Insurance Company,

Have had the same under consideration and have instructed me to report the accompanying bill to the Senate in lieu of the original bill, and recommend that it do pass.

Which was read, and

On motion of Mr. Mason,

Was received and agreed to.

On motion of Mr. Mason,

The Senate proceeded to the consideration of said bill forthwith.

And the substitute reported by the committee,

To be entitled,

An act to incorporate the Holly Springs Life and General Insurance Company,

Was read the second time.

Mr. Oliver offered the following amendment :

Amen I Sec. 2 by adding after the word "payment" and on the transfer of said stock, by any stockholder in said Company, the person or persons so transferring, shall endorse the same, and in case of failure of the Company to pay all its indebtedness of every description, the endorser shall be liable in his private capacity to the amount of the stock by him subscribed or transferred, and endorsed by him for the term of one year after such transfer and endorsement,

Which was read,

Mr. Starke moved,

That said amendment be laid on the table.

Which was lost by yeas and nays, as follows ;

YEAS—Messrs. Catchings, Davis, Gordon, Harrison, Huie, Mason, McCord, Starke, Simonton, and West—10.

NAYS—Mr. President, Messrs. Brasier, Chrisman, Ellett, Enloe, Harris, Howry, Mims, McRae, Neill, Oliver, Quin, Rankin, Thames and Talliaferro—15.

On motion of Mr. Mason,

The bill and amendment was indefinitely postponed.

The following message was received from the House, through their Clerk, Mr. Brougher,

MR. PRESIDENT:—

The House of Representatives has passed,

The Senate bill entitled,

An act to amend an act entitled,

An act to regulate the lien of Mechanics and others for labor and materials,

Also House bills of the following titles, viz :

An act for the relief of Samuel Matthews, of Panola county.

An act to amend the eighth article of section second, chapter fifty-eight of the Revised Code of Mississippi, in relation to the civil jurisdiction of Justices of the Peace.

Mr. Mims, from a select committee, made the following report:

MR. PRESIDENT—

The select committee to whom was referred,

The petition of W. B. Taylor and others, citizens of township 6, range 1 east, and fractional township 6, range 2 east, in Hinds county, praying annexation of those townships to the first district of the Circuit Court,

Have had the same under consideration and have instructed me to report in favor of the prayer of said petition and to submit the accompanying bill to effect their object and recommend its passage.

Which was read, and —

On motion of Mr. Mims,

Was received and agreed to.

And the bill therein reported,

To be entitled,

An act to annex certain additional townships to the first district of the Circuit and Chancery Courts of Hinds county,

Was read the first time.

On motion of Mr. Mims,

The rule was suspended,

The bill considered as engrossed,

Read the second and third times by its title and passed.

Ordered, that the title thereof stand as stated.

Mr. Gordon, from a select committee, made the following report:

MR. PRESIDENT—

The select committee to whom was referred,

A bill to be entitled,

An act to authorize the Boards of County Police of Adams and Wilkinson counties respectively to grant licences to set up and keep for public play, Billiard Tables in the city of Natchez and town of Woodville,

Have had the same under consideration, and have instructed me to report an amendment thereto by way of substitute for the original bill,

Which was read,

And on motion of Mr. Gordon,

Was received and agreed to.

The Senate proceeded to the consideration of said bill forthwith.

And the substitute bill therein reported,

To be entitled,

An act to authorize the several Boards of Police of this State to grant licenses to set up and keep for public play, billiard tables therein,

Was read the second time.

Mr. Howry offered the following amendment :

Amend by adding to first section,

Provided, That Lafayette county be exempted from the operation of this act.

Which was read,

On motion of Mr. Wilson,

Said bill and amendments was indefinitely postponed.

Mr. Harris, from a select committee, made the following report :

MR. PRESIDENT—

The committee to whom was referred,

The House bill entitled,

An act to increase the salaries of the Probate Judges of Yallobusha, Lowndes, Monroe and Amite counties.

Have had the same under consideration, and instructed me to report the following amendment,

Strike out the words "two thousand," in the 2d section and insert "fourteen hundred," so as to read "the salary of the Probate Judge of Lowndes county shall be fourteen hundred dollars."

The committee recommend that with this amendment the bill do pass.

Which was read, and

On motion of Mr. Harris,

Was received and agreed to.

And the amendments therein reported,

Were read and adopted.

And on motion of Mr. Drane,

The rule was suspended,

And the bill therein reported,

To be entitled,

An act to increase the salary of the Probate Judges of Yallobusha, Lowndes, Monroe and Amite counties,

Was read the third time and passed.

Ordered, That the title thereof stand as stated.

Mr. Simonton, from a select committee, made the following report :

MR. PRESIDENT—

The select committee to whom was referred,

The petition of B. L. Owen of the county of Itawamba have had the same under consideration, and ask to report the enclosed bill, and recommend that it do pass.

Which was read, and

~~On~~ motion of Mr. Simonton,
~~Was~~ received and agreed to,
~~And~~ on motion of Mr. Simonton.

~~The~~ Senate proceeded to the consideration of the bill therein
~~reported~~, to-wit:

~~A~~ bill to be entitled,
~~An~~ act for the relief of B. L. Owen, of the county of Ita-
~~wamba,~~

Which was read the first time.

~~On~~ motion of Mr. Simonton,

~~The~~ rule was suspended,

~~And~~ the bill read the second and third time, and passed.

~~Ordered~~, that the title thereof stand as stated.

~~Mr.~~ McCord, from a select committee, made the following
~~report,~~

~~Mr.~~ PRESIDENT—

~~The~~ select committee to whom was referred,

~~An~~ act to increase the fee for apprehending and committing
~~runaway~~ slaves,

~~Leg~~ leave to report the bill back to the Senate with the follow-
~~ing~~ amendments.

~~Strike~~ out the words "in the counties of Tunica, Coahoma,
~~Mississippi,~~ Washington and Issaquena, where they occur in the bill

~~Also~~ strike out the same words in the title of the bill,

~~And~~ recommend that the bill as amended do pass.

Which was read, and

~~On~~ motion of Mr. McCord,

~~Was~~ received and agreed to.

~~On~~ motion of Mr. Drane,

~~Said~~ bill and amendments were re-committed to the committee
~~on the~~ Judiciary.

~~On~~ motion of Mr. Covington,

~~The~~ committee on the Lunatic Asylum on the part of the Sen-
~~ate~~, was granted leave of absence during the sitting of the Senate
~~to-day.~~

~~Mr.~~ Chrisman by leave introduced,

~~A~~ bill to be entitled,

~~An~~ act to incorporate the Monticello Railroad Company.

Which was read the first time.

~~On~~ motion of Mr. Chrisman,

~~The~~ rule was suspended, and the bill was read the second time
~~by its~~ title.

~~Referred~~ to a select committee of three.

~~The~~ President appointed as said committee,

~~Messrs.~~ Chrisman, Covington and Catchings.

Mr. Mims presented the claim of J. J. Doty,
Which was referred to the committee on claims, without reading.

Mr. Davis, Chairman of the committee on Enrolled Bills, offered the following report:

MR. PRESIDENT—

The committee on Enrolled Bills,
Have examined the bill entitled,
An act to authorize the School Commissioners of DeSoto county
to apply the surplus common school funds of said county to the
next most needy class of applicants;
And have found the same correctly enrolled.
Which was read,
And on motion of Mr. Davis,
Was received and agreed to.
On motion of Mr. Davis,
The Senate adjourned until to-morrow morning at 9 o'clock.

WEDNESDAY, Nov. 23, 1871.

The Senate met pursuant to adjournment.

The Journal of yesterday was read and approved.

Mr. Starke by leave moved a reconsideration of the vote taken
on yesterday on the passage of

A bill to be entitled,

An act to increase the salary of the Probate Judges of Yalobusha, Lowndes, Monroe, and Amite counties.

Which motion was adopted.

Mr. Starke offered the following amendment by way of rider:

SEC. — *And be it further enacted,* That the salary of the Probate Judge of Bolivar county be increased to one thousand dollars from and after the passage of this act.

Which was read the first time.

On motion of Mr. Starke,

That the rule be suspended, the rider considered as engrossed,
read the third time and adopted.

On motion of Mr. Starke,

The rule was suspended, the bill as amended read the third time and passed.

Ordered, that the title thereof stand as stated.

Mr. Ellett, by leave called up,

A bill to be entitled,

An act to change the venue in the case of the State against Giles and Emanuel, and for other purposes.

Which was read the first time.

On motion of Mr. Ellett,

The rule was suspended, the bill read a second and third time, and passed,

Ordered, That the title thereof stand as stated.

Mr. McLain, by leave, called up,

A bill to be entitled,

An act to authorize the removal and location of the seat of justice of Jasper county.

Which was read the first time.

On motion of Mr. McLain,

The rule was suspended, the bill read the second and third times and passed,

Ordered, That the title thereof stand as stated.

Mr. West, by leave, moved a reconsideration of the vote taken on yesterday indefinitely postponing,

A bill to be entitled,

An act to authorize the several Boards of Police of this State to grant licenses to set up and keep for public play billiard tables therein,

Which motion was adopted,

On motion of Mr. West,

Said bill was referred to a select committee of three.

The President appointed as said committee,

Messrs. Gordon, Chrisman and Harrison.

Mr. Simonton, from a select committee, made the following report:

MR. PRESIDENT:—

We, a majority of the select committee to whom was referred,

A bill to be entitled,

An act to establish Circuit Courts, to define their jurisdiction, and to regulate the practice therein.

Have had the same under consideration, and beg leave to report the same back, and recommend its passage.

Which was read, and

On motion of Mr. Simonton,

Was received and agreed to.

Mr. Davis, from the committee on Enrolled Bills, made the following report:

MR. PRESIDENT:—

The committee on Enrolled Bills have examined,

An act to amend an act entitled an act to regulate the lien of mechanics and others for labor and materials,

And that they have found the same correctly enrolled.

Which was read.

And on motion of Mr. Davis,

Was received and agreed to.

Mr. Drane, by leave, offered the following resolution.

Resolved, That the committee on the Judiciary be instructed to report a bill, if such power be not now vested in the Probate Courts, authorizing the sale of real estate for distribution whenever in the opinion of said Court the interest of the distributees will be promoted by such sale.

Which was read, and

On motion of Mr. Drane,

Was adopted.

Mr. Oliver, by leave, introduced,

A bill to be entitled,

An act to prohibit the circulation of bank notes or bills under the denomination of twenty dollars after the times therein mentioned.

Which was read the first time.

On motion of Mr. Oliver,

The rule was suspended and the bill read the second time by its title.

On motion of Mr. Gordon,

Said bill was laid on the table and 200 copies ordered to be printed for the use of the Legislature.

Mr. Howry, by leave, introduce,

A bill to be entitled,

An act to amend an act to incorporate the town of Oxford, in the county of Lafayette, approved May 11th, 1837.

Which was read the first time.

On motion of Mr. Howry,

The rule was suspended, the bill considered as engrossed, read the second and third time and passed.

Ordered, That the title thereof stand as stated.

Mr. McCord, by leave, introduced,

A bill to be entitled,

An act to amend the charter of incorporation of the town of Corinth, in the county of Tishomingo.

Which was read the first time.

On motion of Mr. McCord,

The rule was suspended,

The bill considered as engrossed,

Read second and third times, and passed.

Ordered, That the title thereof stand as stated.

The following message was received from his Excellency the Governor, through his Private Secretary, Mr. Campbell,

EXECUTIVE OFFICE,
City of Jackson, Miss., Nov. 23, 1859.

MR. PRESIDENT:—

His Excellency the Governor, did on the 22d inst., sign and approve Senate bill entitled,

An act in relation to the estate of Dr. Alexander Byrenheidt, deceased, and for other purposes.

Mr. Stark, by leave, offered the following resolution,

WHEREAS, His Excellency, Gov. McWillie, has appointed Thursday, the 24th day of this month, to be set apart as a day of thanksgiving and prayer, and the Legislature of Mississippi desire to further the recommendation of the Governor. Therefore,

Resolved, That both Houses of this Legislature on their adjournment to-day will adjourn until Friday morning at 10 o'clock.

Which was read the first time.

On motion of Mr. Starke,

The rule was suspended, the resolution read the second time and adopted.

Mr. Davis, by leave, introduced,

A bill to be entitled,

An act to punish negroes and mulattoes for rape and attempt to commit a rape.

Which was read the first time.

On motion of Mr. Davis,

The rule was suspended and the bill read the second time and referred to the committee on the Judiciary.

On motion of Mr. Harris,

The Senate proceeded to the consideration of the orders of the day.

A bill to be entitled,

An act to amend the Constitution of this State in relation to the prosecution and trial of slaves in all cases.

Was read the third time.

On motion of Mr. Starke,

Said bill was referred to the committee on the Judiciary.

A bill to be entitled,

An act for the relief of Mrs. Martha W. Afford, and her two minor children, John Dudley and James William Afford.

Was read the third time and passed.

Ordered, That the title thereof stand as stated.

Mr. Starke, by leave, moved a reconsideration of the vote taken on yesterday indefinitely postponing,

A bill to be entitled,

An act to incorporate the Holly Springs Life and General Insurance Company.

Which motion was adopted.

On motion of Mr. Starke,

Said bill and the amendment thereto was laid on the table.

The Senate resumed the consideration of the orders of the day.

A bill to be entitled,

An act to amend the seventeenth section of the general provisions of the Constitution in relation to new counties.

Was read the second time.

A bill to be entitled,

An act to amend chapter LX of the Revised Code of the State of Mississippi, providing for the establishment of Probate Courts and regulating the proceedings therein,

Was read the second time.

On motion of Mr. Howry,

Said bill was referred to the committee on the Judiciary.

A House bill to be entitled,

An act for the relief of A. B. Montgomery and Bayless P. Shelly.

Was read the first time.

On motion of Mr. Starke,

The rule was suspended, the bill read the second and third times and passed.

Ordered, That the title thereof stand as stated.

Mr. Starke, by leave, offered the following resolution:

Resolved, That the bill entitled an act in relation to the salaries of the Judges of the High Court of Errors and Appeals, which has passed the Senate and been reported to the House be recalled by the Senate.

Which was read.

And on motion of Mr. Starke,

Was adopted.

The Senate resumed the consideration of the orders of the day.

A House bill to be entitled,

An act to provide for the taking the census of the State of Mississippi in the year 1860.

Was read the second time.

On motion of Mr. McCord,

Said bill was referred to the committee on the Judiciary.

A House bill to be entitled,

An act to repeal the 12th article of the 8th chapter of the Revised Code, so far as the same relates to the county of Jasper.

Was read the first time.

On motion of Mr. McLain,

The rule was suspended, the bill read the second and third times and passed.

Ordered, That the title thereof stand as stated.

A House bill to be entitled,

An act for the purpose of changing the time of holding the

Circuit Courts in the 1st and 2d Judicial Districts of the county of Hinds and for other purposes,

Was read the first time.

On motion of Mr. Mims,

The rule was suspended and the bill read the second time by its title, and

Referred to a select committee of three.

The President appointed as said committee,

Messrs. Mims, McLain and Simonton.

A House bill to be entitled,

An act to repeal in part article 4, chapter 9 of the Revised Code.

Was read the first time.

On motion of Mr. Gordon,

The rule was suspended, the bill read the second time and

Referred to the committee on the Judiciary.

A House bill to be entitled,

An act for the relief of John W. Brasher and family,

Was read the first time.

On motion of Mr. West,

The rule was suspended, the bill read the second time and referred to the committee on the Judiciary.

A House bill to be entitled,

An act to amend the eight article of section second, chapter 58 of the Revised Code of Mississippi in relation to the civil jurisdiction of Justices of the Peace,

Was read the first time.

On motion of Mr. West,

The rule was suspended, and the bill read the second time by its title, and

Referred to the committee on the Judiciary.

A House bill to be entitled,

An act for the relief of Samuel Matthews of Panola county,

Was read the first time.

On motion of Mr. Taliaferro,

The rule was suspended and the bill read a second time by its title, and

Referred to a select committee of three.

The President appointed as said committee,

Messrs. Taliaferro, West and Mims.

Mr. McCord, by leave, called up,

A bill to be entitled,

An act to amend an act to secure the interest on the school fund belonging to the Chickasaw Cession and for other purposes, so far as the same relates to the counties of Tishomingo, Tippah, Panola and Lafayette.

Which was read the second time.

On motion of Mr. Howry,

The amendments as follows reported by the select committee to said bill :

“Strike out in the 4th line after the enacting cluse, six and twenty-one, and insert in lieu thereof, eight and eighteen.

In section 4 in tenth line after the word examined, insert the words, and allowed,

Were read and adopted.

Mr. Mason offered the following amendment :

Amend by adding the county of Marshall,

Which was read and adopted.

On motion of Mr. McCord,

The rule was suspended, the amendments considered as engrossed, the bill read the third time as amended and passed.

Ordered, That the title thereof stand as stated.

Mr. Ellett, by leave, introduced,

A bill to be entitled,

An act for the relief of George Torry,

Which was read the first time.

On motion of Mr. Ellett,

The rule was suspended, the bill considered as engrossed, read the second and third times and passed.

Ordered, That the title thereof stand as stated.

Mr. Ellett, by leave, called up the House message,

The following resolution therein reported, to-wit :

Resolved, [the Senate concurring,] That the rule establishing the joint committee on printing be so amended as to read as follows :

There shall be a joint standing committee on Printing composed of three members on the part of the Senate, and five members on the part of the House, to which shall be referred, as of course, all motions to print any document, message or report, other than bills or reports of committees of either House, and reports made to either House, in answer to a call for information for its own use.

Was read the first time.

On motion of Mr. Ellett,

The rule was suspended, the resolution read the second time and adopted.

Mr. McLain, by leave, introduced,

A bill to be entitled,

An act in relation to the compensation of the Reporter of the decisions of the High Court of Errors and Appeals of this State.

Which was read the first time.

On motion of Mr. McLain,

The rule was suspended, the bill read the second time by its title and referred to the committee on the Judiciary.

Mr. McRae, by leave, introduced,

A bill to be entitled,

An act to extend the corporate limits of the town of Pass Christian, in the county of Harrison, and for other purposes.

Which was read the first time.

On motion of Mr. McRae,

The rule was suspended, the bill read the second time,

And referred to the committee on the Judiciary.

Mr. Neill, by leave, offered the following joint resolution :

Resolved, By the Legislature of the State of Mississippi, That the Honorable William Cothran, Judge of the Circuit Court for the 10th Judicial District for the State of Mississippi, have leave of absence from the State for the term of two months at any time during the year 1860, that will not interfere with holding the Courts in said district as prescribed by law,

Which was read the first time.

On motion of Mr. Neill,

The rule was suspended, the resolution read the second time and adopted.

Mr. Mims, by leave, introduced,

A bill to be entitled,

An act to amend the act fixing the fees now allowed the Clerks of the Probate and Police Courts,

Which was read the first time.

On motion of Mr. Mims,

The rule was suspended, the bill read the second time by its title and referred to the committee on the Judiciary.

Mr. Chrisman, by leave, offered the following joint resolution :

Resolved, [by the Senate, the House concurring,] That the Legislature will adjourn sine die on the 15th proximo,

Which was read the first time.

Mr. McCord moved,

To strike out 15th and insert 10th.

Mr. Ellett called for a division of the question.

The vote was first taken on striking out.

Which was decided in the affirmative.

On motion of Mr. Ellett,

The vote just taken on striking out, was reconsidered.

On motion of Mr. Drane,

The further consideration of said resolution was postponed until Monday next and made the special order of the day for 11 o'clock A. M.

Mr. Oliver, by leave, offered the following resolution :

Resolved, That the Judiciary Committee be instructed to enquire into the expediency of repealing the law allowing fees to Probate Clerks and making salaried officers to be paid out of the County Treasury of their several counties,

Which was read and adopted.

Mr. Rankin, by leave, introduced,

A bill to be entitled,

An act for the relief of James Bradley, of Perry county.

Which was read the first time.

On motion of Mr. Rankin,

The rule was suspended and the bill read the second time by its title

On motion of Mr. West,

Said bill was laid on the table.

On motion of Mr. McLain,

Leave of absence was granted him for a few days.

On motion of Mr. Drane,

Leave of absence was granted him for a few days.

On motion of Mr. Ellett,

The Senate proceeded to the election of a President *pro tem.*, to preside over the Senate during the temporary absence of the President.

On motion of Mr. Ellett,

Mr. Starke was unanimously elected said President *pro tem.*

On motion of Mr. Huie,

The Senate adjourned until Friday morning 10 o'clock.

FRIDAY, Nov. 25, 1859.

The Senate met pursuant to adjournment.

The Journal of yesterday was read.

On motion of Mr. Davis,

Leave of absence was granted to Mr. Neill for a few days.

On motion of Mr. Mims,

Leave of absence was granted to Mr. Catchings for a few days.

Mr. McRae asked and obtained leave of absence for a few days.

Mr. Ellett, from the committee on the Judiciary, made the following report:

MR. PRESIDENT—

The committee on the Judiciary, to whom was referred,

The petition of Thomas Boone, of Carroll county, praying the passage of an act confirming the sale of a negro therein named, or authorizing the Probate Court of Carroll county to confirm the same.

Have had the same under consideration, and have instructed me to report that the transaction occurred in Alabama, where the

parties all resided, and the property was and still is in Alabama, and therefore the State of Mississippi can exercise no jurisdiction over the subject.

The committee recommend that the prayer of the petition be not granted.

Which was read, and

On motion of Mr. Ellett,

Was received and agreed to.

The following message was received from the House of Representatives, through their Clerk, Mr. Brougher,

MR. PRESIDENT—

The House of Representatives has concurred in the joint resolution of the Senate, that the two Houses on their adjournment to-day adjourn to Friday morning at 10 o'clock.

Also, in the joint resolution of the Senate, authorizing the Librarian to deliver to the Circuit Court of the United States at Jackson, and to the Clerk of the District Court of the United States at Pontotoc, each a complete set of the reports of the decisions of the High Court of Errors and Appeals, to be kept in their respective offices for the use of their respective courts.

And has passed bills of the following titles, viz :

And act to change the time of holding the Probate Court of DeSoto county.

An act to concerning public roads in the county of Coahoma.

An act in relation to the swamp land fund in Green county.

The House has concurred in the Senate amendments to the following House bills.

An act for the relief of Ann Eliza Austin,

An act to repeal the act to suppress tippling houses in the county of Clarke and for other purposes.

An act to increase the salary of the Probate Judges of Yallobusha, Lowndes, Monroe and Amite counties,

A bill authorizing the election of a member of the Agricultural Bureau.

Mr. Ellett, Chairman of the Judiciary Committee, made the following report :

MR. PRESIDENT—

The committee on the Judiciary to whom was referred,

A petition of sundry mechanics, citizens of Leake county, praying the passage of an act exempting from seizure, by garnishment or otherwise, the wages of a mechanic for a limited period of time,

Have had the same under consideration, and have instructed me to report the same back, and to ask to be discharged from the further consideration of the subject.

Which was read.

And on motion of Mr. Ellett,

Was received and agreed to.

Mr. Ellett, Chairman of the committee on the Judiciary, made the following report :

MR. PRESIDENT—

The committee on the Judiciary to whom was referred,

A bill to be entitled,

An act to punish negroes and mulattoes for rape, and attempt to commit rape,

Have had the same under consideration, and have instructed me to report the same back and to recommend its passage.

Which was read,

And on motion of Mr. Ellett,

Was received and agreed to.

On motion of Mr. Ellett,

The Senate proceeded to the consideration of said bill forthwith, to-wit :

A bill to be entitled,

An act to punish negroes and mulattoes for rape, and attempt to commit rape.

Was read the second time.

On motion of Mr. Ellett,

The rule was suspended, the bill considered as engrossed, read the third time and passed.

Ordered, That the title thereof stand as stated.

Mr. Ellett, from the committee on the Judiciary, made the following report :

MR. PRESIDENT :—

The committee on the Judiciary to whom was referred,

A bill entitled,

An act to legalize the sales of swamp lands in the county of Covington,

Have had the same under consideration, and have instructed me to report the same back, with an amendment, and to recommend the adoption of the amendment, and the passage of the bill as amended.

Which was read.

And on motion of Mr. Ellett,

Was received and agreed to.

And the amendment therein reported, to-wit,

Amend by striking out all after the enacting clause, and inserting—

That upon payment or tender by the purchaser or purchasers of any swamp and overflowed land scrip in the county of Covington, to the present commissioners of swamp lands in said county of the purchase money agreed to be paid for the same, and upon the performance of their contracts, or upon the offer of performance of such offer shall be refused by any purchaser or purchas-

ers of swamp land scrip, in said county the price of which is by the terms of the contract to be paid in labor, such purchaser or purchasers shall be confirmed in their titles to the swamp land entered with said scrip, and the patent issued by the State shall be in all respects lawful and valid.

Was read.

And on motion of Mr. Ellett,

Was adopted.

And on motion of Mr. Ellett,

Said bill was ordered to be engrossed for a third reading on to-morrow at 10 o'clock A. M.

Mr. Ellett, from the committee on the Judiciary, made the following report.

MR. PRESIDENT—

The committee on the Judiciary to whom was referred,

A bill to be entitled,

An act to amend section 18 of article 4, of the Constitution of this State,

Have had the same under consideration and have instructed me to report the same back, and to recommend that the same do not pass.

Which was read.

And on motion of Mr. Ellett,

Was received and agreed to.

Mr. Ellett, from the committee on the Judiciary, made the following report,

MR. PRESIDENT—

The committee on the Judiciary, to whom was referred,

A House bill entitled,

An act to increase the fee for apprehending and committing runaway slaves in the counties of Tunica, Coahoma, Washington, Bolivar, and Issaquena, with an amendment thereto, proposing to make the same a general law for the whole State,

Have had the same under consideration and instructed me to report the same back, and to recommend that the same do not pass.

Which was read.

And on motion of Mr. Ellett,

Was received and agreed to.

On motion of Mr. Ellett,

The vote just taken on receiving and agreeing to the above report, was reconsidered.

The vote was first taken on receiving the report,

Which was decided in the affirmative.

On motion of Mr. Oliver,

Said report and bill was laid on the table.

Mr. Chrisman, from a select committee, made the following report:

MR. PRESIDENT:—

The select committee to whom was re-committed,

The bill to be entitled,

An act to authorize the Boards of County Police of the counties of Adams and Wilkinson respectively to grant licenses to set up and keep for public play Billiard Tables in the city of Natchez and in the town of Woodville,

Have had the same under their consideration, and a majority have instructed me to report an amendment by way of substitute for the original bill, and the amendment in lieu thereof reported by the former select committee as a substitute for the said original bill, and to recommend that said substitute now reported by your committee be passed.

Which was read.

Mr. Chrisman moved,

That the report be received and agreed to.

Mr. Harrison called for a division of the question.

The vote was first taken on receiving the report,

Which was decided in the affirmative.

The vote was then taken on agreeing to said report,

Which was decided in the affirmative.

The substitute reported as an amendment, to-wit.

A bill to be entitled,

An act to authorize the Boards of County Police of the counties of Adams, Wilkinson, Lawrence, Pike and Rankin respectively to grant licences to set up and keep for public play Billiard tables in each of said counties,

Was read.

Mr. Oliver offered the following amendment,

Amend by striking out "city or town," and inserting "Police District."

Which was read.

Mr. Davis moved to lay the amendments on the table.

Which was lost.

Mr. Harrison moved,

That said bill and amendments be indefinitely postponed,

Which motion was lost by yeas and nays as follows:

YEAS—Messrs. Brasier, Covington, Ellett, Enloe, Harrison, Harris, Howry, Mason, McCord, Oliver, and Wilson—11.

NAYS—Messrs. Chrisman, Davis, Gordon, Mims, McRae, Quin Rankin, Starke, Simonton, Talliaferro, and West—11.

On motion of Mr. West,

The further consideration of said bill and amendments w

postponed until Monday next, and made the special order of the day for 10 o'clock A. M.

On motion of Mr. Enloe,

Leave of absence was granted to Mr. Thames for a few days.

The following message was received from the House of Representatives, through their Clerk, Mr. Brougher,

MR. PRESIDENT—

The House of Representatives has passed,

The Senate bill entitled,

An act to amend an act to incorporate the town of Oxford, in the county of Lafayette, approved May 11, 1859.

And have adopted an amendment thereto, in which the concurrence of the Senate is desired.

Mr. Chrisman, from a select committee, made the following report :

MR. PRESIDENT—

The committee to whom was referred,

The bill to be entitled,

An act to incorporate the Monticello Railroad Company,

Have had the same under consideration, and have instructed me to report the same back to the Senate, and recommend its passage.

Which was read.

And on motion,

Was received and agreed to.

On motion of Mr. Chrisman,

The Senate forthwith proceeded to the consideration of said bill.

A bill to be entitled,

An act to incorporate the Monticello Railroad Company,

Was read the second time.

On motion of Mr. Chrisman,

The rule was suspended,

The bill considered as engrossed,

Read the third time, and passed,

Ordered that the title thereof stand as stated.

Mr. Talliaferro, from a select committee, made the following report :

MR. PRESIDENT—

The select committee to whom was referred,

The bill for the relief of Samuel Matthews, of Panola county.

Have had the same under consideration, and instructed me to report the same back to the Senate, and recommend its passage.

Which was read.

And on motion of Mr. Talliaferro,

Was received and agreed to.

And the bill therein reported, to-wit,

A bill to be entitled,

An act for the relief of Samuel Matthews, of Panola county.

Was read the second time.

On motion of Mr. Talliaferro,

The rule was suspended, and the bill was read the third time and passed.

Ordered that the title thereof stand as stated.

Mr. Mason, by leave, introduced,

A bill to be entitled,

An act to refund to Railroad Companies the amount of railroad tax collected by the Auditor of Public Accounts,

Which was read the first time.

On motion of Mr. Mason,

The rule was suspended, the bill considered as engrossed, read the second and third times, and passed.

Ordered, that the title thereof stand as stated.

Mr. Simonton by leave called up,

A bill to be entitled,

An act to repeal a portion of an act entitled,

An act to establish Circuit Courts, to define their jurisdiction, and to regulate the practice therein,

Which was read the second time.

Mr. Chrisman moved,

That the bill be committed to the committee on the Judiciary with instructions to report a bill regulating the exemption law so as to permit persons to elect whether they will hold negro property exempt from execution instead of the property now exempt by law.

Which was read.

Mr. Wilson moved to amend the amendment by inserting after the word "institution," "to enquire into the expediency of reporting," and to strike out the words "to report."

Which was read.

On motion of Mr. Starke,

The further consideration of said bill and amendments were postponed until Tuesday next, and made the special order of the day for 11 o'clock A. M.

On motion of Mr. Enloe,

The Senate adjourned until to-morrow morning at 9 o'clock.

SATURDAY, Nov. 26, 1859.

The Senate met pursuant to adjournment.

The Journal of yesterday was read and approved.

Mr. Drane, the President of the Senate appeared in his seat this morning.

Mr. Ellett, Chairman of the Judiciary Committee, made the following report,

MR. PRESIDENT—

The committee on the Judiciary to whom was referred,

An act entitled,

An act for the relief of John W. Brasher and family,

Have had the same under consideration, and have instructed me to report the same back, and to recommend its passage.

Which was read.

And on motion of Mr. Ellett,

The Senate forthwith proceeded to the consideration of said bill.

Which was read the second time.

On motion of Mr. Rankin,

The rule was suspended,

The bill read the third time, and passed.

Ordered, That the title thereof stand as stated.

Mr. Ellett, from the committee on the Judiciary, made the following report.

MR. PRESIDENT—

The Judiciary Committee to whom was referred,

An act entitled,

An act to amend the eighth article of section second, chapter fifty-eight, of the Revised Code of Mississippi in relation to the civil jurisdiction of Justices of the Peace,

Have had the same under consideration, and have instructed me to report the same back, with the following amendment, and to recommend the adoption of the amendment, and the passage of the bill as amended.

Which was read,

And on motion of Mr. Ellett,

Was received and agreed to.

And the amendment therein reported, as follows :

Amend by adding to the end of the first section the following words :

If there shall be a Justice acting therein, and qualified to try such suit.

Was read and adopted.

On motion of Mr. Ellett,

The Senate proceeded to the consideration of said bill forthwith, to-wit :

A bill to be entitled,

An act to amend the eighth article of section second, chapter fifty-eight of the Revised Code of Mississippi in relation to the civil jurisdiction of Justices of the Peace.

Which was read the second time as amended.

On motion of Mr. Ellett,

The rule was suspended, the amendment considered as engrossed, the bill as amended read the third time and passed.

Ordered, that the title thereof stand as stated.

The following message was received from his Excellency the Governor, through his Private Secretary, Mr. Campbell, to-wit :

EXECUTIVE OFFICE, }
City of Jackson, Nov. 25, 1859. }

MR. PRESIDENT—

His Excellency the Governor, did, on the 25th inst., sign and approve Senate bill entitled,

An act to amend an act entitled an act to regulate the lien of mechanics and others for labor and materials.

A bill to be entitled,

An act to authorize the School Commissioners of DeSoto county to apply the surplus common school fund of said county to the next most needy class of applicants,

Mr. Ellett, from the committee on the Judiciary, made the following report :

MR. PRESIDENT—

The committee on the Judiciary to whom was referred,

An act entitled,

An act to extend the corporate limits of the town of Pass Christian, in the county of Harrison, and for other purposes,

Have had the same under consideration, and have instructed me to report the same with the following amendment, and to recommend the adoption of the amendment, and the passage of the bill as amended,

Which was read.

And on motion of Mr. Ellett,

Was received and agreed to.

On motion of Mr. Ellett,

The Senate proceeded to the consideration of the bill,

A bill to be entitled,

An act to extend the corporate limits of the town of Pass Christian, in the county of Harrison, and for other purposes,

Was read the second time.

And the amendment reported by the committee, to-wit :

Amend by striking out all after the enacting clause and inserting,
That for the purpose of protecting the oysters lying within the

limits herein defined, the corporate limits of the town of Pass Christian in the county of Harrison, be and the same are hereby extended between the east and west lines of said town, due south to Pass Marion, in the Gulf of Mexico, or Lake Borgne, and that all the powers for the protection of oysters and oyster beds within the said limits, that are conferred upon the Board of the County Police by the twenty-sixth chapter of the Revised Code entitled,

An act for the preservation of game and oysters in this State,

Be and the same are hereby conferred on the corporate authorities of the said town of Pass Christian, and that this act shall take effect from its passage.

Was read,

And on motion of Mr. Ellett,

Was adopted.

On motion of Mr. Ellett,

Said bill was ordered to be engrossed,

And made the special order of the day for Monday next.

Mr. Ellett, from the committee on the Judiciary, made the following report :

MR. PRESIDENT—

The committee on the Judiciary to whom was referred,

An act entitled,

An act to amend an act entitled,

An act in relation to the compensation of the Reporter of the Decisions of the High Court of Errors and Appeals of this State, approved December 3, 1858,

Have had the same under consideration, and have instructed me to report the same back, and to recommend its passage.

Which was read.

And on motion of Mr. Ellett,

Was received and agreed to.

On motion of Mr. Ellett,

The Senate proceeded to the consideration of said bill forthwith.

A bill to be entitled,

An act to amend an act in relation to the Reporter of the Decisions of the High Court of Errors and Appeals of this State.

Which was read the second time.

On motion of Mr. Rankin,

The rule was suspended, the bill read the third time, and passed.

Ordered, that the title thereof stand as stated.

Mr. Ellett, from the committee on the Judiciary, made the following report :

MR. PRESIDENT—

The committee on the Judiciary, who were instructed by resolution of the Senate to enquire into the expediency of repealing

the law allowing fees to Probate Clerks. and making them salaried officers, to be paid out of the County Treasury of their respective counties,

Have had the same under consideration, and have instructed me to report that in the opinion of the committee, it is not expedient to make the change referred to.

Which was read,

And on motion of Mr. Ellett,

Was received and agreed to.

Mr. Ellett, from the committee on the Judiciary, made the following report,

MR. PRESIDENT—

The committee on the Judiciary, to whom was referred,

An act entitled,

An act to repeal in part article 4, chapter 9, of the Revised Code.

Have had the same under consideration and instructed me to report the same back, and to recommend that the same do not pass.

Mr. Ellett moved,

That the report be received and agreed to.

Mr. Brasier called for a division of the question.

The question was first taken on receiving the report,

Which was decided in the affirmative.

The question was next taken on agreeing to the report,

Which was decided in the negative, by yeas and nays as follows :

YEAS—Messrs. Covington, Chrisman, Davis, Ellett, Gordon, Mims, Mason, Rankin, and Starke,—9.

NAYS—Mr. President, Messrs. Brasier, Buchanan, Enloe, Harrison, Howry, Huie, McCord, Oliver, Simonton, Thames, Talliaferro, West and Wilson—14.

Mr. Brasier moved,

That the rule be suspended, the bill read the third time and put upon its passage.

Which was decided in the negative by yeas and nays, as follows :

YEAS—Mr. President, Messrs. Brasier, Enloe, Harrison, Howry, Huie, Mims, McCord, Olver, Simonton, Thames, Taliaferro, West and Wilson.—14.

NAYS—Messrs. Buchanan, Covington, Chrisman, Davis, Ellett, Gordon, Harris, Mason, Rankin, and Starke—10.

Mr. Chrisman offered the following amendment :

Be it further enacted, That said Clerks Sheriffs and Coroners shall not be allowed to charge fees for advice on the preparing of papers in the county.

Which was read.

Mr. Huie offered the following amendment :

Provided, however, that said parties preparing papers shall in all cases assign the papers which they prepare for suitors or others having business in the various courts of this State.

Which was read.

On motion of Mr. Drane,

Said bill and amendments was referred to a select committee of three.

The President appointed as said committee,

Messrs. Howry, Harrison, and Brasier.

On motion of Mr. West,

Mr. Huie was added to said committee.

Mr. Ellett, by leave, offered the following resolution,

That the committee on Public Buildings be directed to enquire into the necessity and expediency of providing suitable furniture for the committee rooms in the Capitol, and that they report by bill or otherwise.

Which was read,

And on motion of Mr. Ellett,

Was adopted.

Mr. Thames, by leave, offered the following resolution.

Resolved, That the committee on the Judiciary be instructed to enquire into the expediency of so amending the laws in regard to the circulation of incendiary documents so as more effectually to prevent the circulation of the same, and report by bill or otherwise.

Which was read, and

On motion of Mr. Thames,

Was adopted.

Mr. Huie, by leave, introduced a joint resolution relative to the Harpers Ferry riot,

Which was read the first time, and

On motion of Mr. Huie,

Was referred to the committee on State and Federal Relations.

Mr. Davis, by leave, introduced,

A bill to be entitled,

An act to authorize the Boards of Police of Madison county to invest the three per cent. fund of said county in the bonds of certain railroads.

Which was read the first time.

On motion of Mr. Davis,

The rule was suspended, the bill considered as engrossed, read the second and third times and passed.

Ordered, That the title thereof stand as stated.

Mr. Howry, by leave, introduced,

A bill to be entitled,

An act to exempt certain lands from taxation.

Which was read the first time.

On motion of Mr. Howry,

The rule was suspended, the bill considered as engrossed, read the second and third times and passed

Ordered, That the title thereof stand as stated.

Mr. Oliver, by leave, introduced,

A bill to be entitled,

An act to amend article 253 of the Revised Code, page 614, in relation to getting witnesses before the Grand Juries, and for other purposes.

Which was read the first time.

On motion of Mr. Oliver,

The rule was suspended, the bill read the second time by its title and referred to the committee on the Judiciary.

Mr. Wilson, by leave, introduced,

An act to repeal a part of an act to regulate the action of ejectment—Revised Code, page 387.

Which was read the first time.

On motion of Mr. Wilson,

The rule was suspended, the bill read the second time and referred to the committee on the Judiciary.

Mr. McCord, by leave, introduced,

A bill to be entitled,

An act to prevent debtors from defrauding creditors under the exemption laws,

Which was read the first time.

On motion of Mr. McCord,

The rule was suspended, the bill read the second time by its title, and referred to the committee on the Judiciary.

Mr. Mims, by leave, introduced,

A bill to be entitled,

An act to aid in the erection of a monument to commemorate the services of the 1st and 2d Regiments of the State of Mississippi in the war with Mexico.

Which was read the first time.

On motion of Mr. Gordon,

The rule was suspended, the bill read the second time by its title and referred to a select committee of five.

The President appointed as said committee,

Messrs. Mims, Gordon, Starke, Wilson and Enloe.

Mr. Wilson, by leave, presented the account of P. S. Gaines, of Pontotoc county.

Which was referred to the committee on Claims without reading.

Mr. Mims presented the account of the "Eagle of the South."

Which was referred the committee on Claims without reading.

Mr. Starke, by leave, offered the following resolution :

Resolved, By the Senate, That the Treasurer of the State of Mississippi be requested to communicate his annual report to the Legislature as soon as practicable.

Which was read,

And on motion of Mr. Starke,

Was adopted.

Mr. Buchanan, by leave, introduced,

A bill to be entitled,

An act to amend an act entitled,

An act to incorporate the Ripley Railroad Company, and for other purposes.

Which was read the first time.

On motion of Mr. Buchanan,

The rule was suspended, the bill read the second time by its title and referred to a select committee of three.

The President appointed as said committee,

Messrs. Buchanan, Wilson and Harrison.

Mr. Chrisman, from the committee on Engrossed Bills, made the following report :

MR. PRESIDENT—

The committee on Engrossed Bills have examined the bill to legalize the sales of swamp lands in the county of Covington, And found the same correctly engrossed.

Which was read,

And on motion of Mr. Chrisman,

Was received and agreed to.

On motion of Mr. Ellett,

The Senate proceeded to the consideration of the orders of the day, and took up,

A bill to be entitled,

An act to legalize the sales of swamp lands in the county of Covington.

Which was read the third time and passed.

Ordered, That the title thereof stand as stated.

An amendment of the House to a Senate bill,

To be entitled,

An act to amend an act to incorporate the town of Oxford, in the county of Lafayette, approved May 11th, 1857,

Was read,

And on motion of Mr. Howry,

Was concurred in.

A Senate bill entitled,

An act to amend the seventeenth section of the general provisions of the constitution in relation to new counties.

Was read the third time and passed by yeas and nays as follows.

YEAS—Mr. President, Messrs. Braiser, Buchanan, Catchings, Covington, Davis, Enloe, Gordon, Harrison, Harris, Howry, Huie, Mason, McCord, Oliver, Starke, Simonton, Thames, Talliaferro and Wilson.—20.

NAYS—Chrisman, and Rankin.—2.

The following message was received from the House of Representatives, through their Clerk, Mr. Brougher.

MR. PRESIDENT—

The House of Representatives have passed the following joint resolution, in which the concurrence of the Senate is desired:

Resolved, [the Senate concurring,] That a committee of five on the part of the House and — on the part of the Senate be appointed to wait on the Hon. J. J. McRae, and invite him to deliver an address upon the political topics of the day in the Hall of the House of Representatives at such time as may suit his convenience.

The committee on the part of the House are,
Messrs. Adams, Love, Newton, Walworth and Hamilton.

On motion of Mr. West,

Messrs. McRae and Rankin were added to the committee on the Gulf and Ship Island Railroad.

Mr. Davis, by leave, called up House message:

A resolution of the House appointing a committee of five on the part of the House and — on the part of the Senate, to wait on Hon. John J. McRae and invite him to address the people on the political topics of the day,

Was read the first time.

On motion of Mr. Davis,

The blank in said resolution was filled with the number three.

And on motion of Mr. Davis,

The rule was suspended, the resolution read the second time and concurred in.

The President appointed as said committee on the part of the Senate,

Messrs. Davis, Covington and Wilson.

The Senate resumed the consideration of the orders of the day.

A House bill to be entitled,

An act to change the time of holding the Probate Court of DeSoto county.

Was read the first time.

On motion of Mr. Oliver,

The rule was suspended, the bill read the second and third times and passed.

Ordered, That the title thereof stand as stated.

On motion of Mr. Drane,

The Senate suspended the further consideration of the regular orders of the day for the present.

Mr. Howry, by leave called up,

A bill to be entitled,

An act to extend the time for holding the Probate of Court of Lafayette county.

Which was read the second time.

On motion of Mr. Howry,

The rule was suspended, the bill considered as engrossed, read the third time and passed.

Ordered, That the title thereof stand as stated.

The Senate resumed the consideration of the orders of the day.

A Senate bill to be entitled,

An act to repeal articles 54, 55 and 56 of section 8, chapter 35, of the Revised Code,

Was read the second time.

On motion of Mr. Ellett,

The further consideration of said bill was postponed until Wednesday next and made the special order of the day for 3 o'clock P. M.

A House bill to be entitled,

An act in relation to the swamp land fund of Green county.

Was read the first time.

On motion of Mr. Rankin,

The rule was suspended, the bill read the second and third times and passed.

Ordered, That the title thereof stand as stated.

A House bill to be entitled,

An act concerning public roads in the county of Coahoma.

Was read the first time.

On motion of Mr. West,

The rule was suspended, and the bill was read the second time by its title.

On motion of Mr. Talliaferro,

The rule was further suspended, the bill read the third time and passed.

Ordered, that the title thereof stand as stated.

Mr. Huie by leave, called up,

A bill to be entitled,

An act for the relief of Lucius Q. Edwards,

Which was read the second time.

Mr. Huie moved,

That the rule be suspended, the bill be engrossed, read the third time and put upon its passage.

On motion of Mr. Ellett,

Said bill was indefinitely postponed.

Mr Davis, from the joint select committee appointed to wait on Hon. John J. McRae, and invite him to address the people, made the following report :

MR. PRESIDENT—

The committee appointed to wait on the Hon John J. McRae, would respectfully report that they have performed the duty assigned them, and that he has accepted the invitation to address the Legislature in the Hall of the House of Representatives at half past 7 o'clock P. M. to day.

Which was read.

And on motion of Mr. Davis,

Was received and agreed to.

On motion of Mr. Wilson,

The Senate adjourned until Monday morning 10 o'clock.

MONDAY, Nov. 28, 1859.

The Senate met pursuant to adjournment.

The Journal of Saturday was read and approved.

The following message was received from the House of Representatives, through their Clerk, Mr. Brougher,

MR. PRESIDENT—

The House of Representatives has passed the following joint resolution, in which the concurrence of the Senate is desired :

Resolved, [the Senate concurring,] That a committee of five on the part of the House and — on the part of the Senate, be appointed to wait on Ex-Gov. Jos. W. Matthews, and tender him the use of the Hall at such time as may suit his convenience, to address his fellow-citizens on the political issues of the day.

Committee on the part of the House,

Messrs. Sanders, Boone, Dean, Duncan and Bishop.

The House of Representatives has passed,

Senate bill entitled,

An act for the relief of Mrs. Martha W. Alford, and her two minor children, John Dudley and James William Alford.

Also, House bills of the following titles, viz :

An act to prohibit the sale and gratuitous distribution of spiritous liquors in the town of Mt. Carmel, and within certain limits therefrom.

An act for the relief of Hendley S. Bennett.

An act to regulate the sale of vinous and spiritous liquors in Centre beat, Yallobusha county.

An act for the relief J. R. Watts, late Tax Assessor of Lauderdale county.

An act to modify article 14, section 3, chapter 59, so far as the same relates to the counties of Marion and Hinds.

An act to repeal article two hundred and twenty-six of section forty eight of chapter sixty-four, of the Revised Code, and for other purposes.

A bill in relation to the disinterment of certain dead bodies for anatomical purposes.

An act to extend the provisions of an act entitled an act for the relief of Asaph P. Robertson, Timothy Rogers, Daniel J. Duckworth and Norvelle Rogers, approved Nov. 22, 1858.

An act for the benefit of the Mississippi State Lunatic Asylum.

Mr. Buchanan presented the petition of sundry citizens of Tippah county upon the subject of the sale of liquors.

Which was referred to the committee on the Judiciary without reading.

The President of the Senate presented a communication of John C. Miller, President of Centenary College, of La., presenting to the Senate a lithograph of said Institution.

Which was read,

And on motion of Mr. Gordon,

Was referred to a select committee of three.

The President appointed as said committee,

Messrs. Gordon, Mason and Thomson.

Mr. Mason, from the committee on Claims, made the following report :

MR. PRESIDENT;—

The committee on Claims to whom was referred the account of J. J. Doty, have examined the same, and have directed me to report the same back to the Senate and recommend that it be not allowed,

Which was read, and

On motion of Mr. Mason,

Was received and agreed to.

Mr. Mason, from the committee on Claims, made the following report :

MR. PRESIDENT—

The committee on Claims to whom was referred,

A bill for the relief of J. H. Anderson, Tax Collector of Monroe county,

Have had the same under consideration, and have instructed me to report the same back to the Senate and recommend its passage.

Which was read, and

On motion of Mr. Mason,

Was received and agreed to.

And the bill therein reported,

To be entitled,

An act for the relief of J. H. Anderson, Tax Collector of Monroe county.

Was read the second time.

On motion of Mr. Harrison,

The rule was suspended, the bill read the third time and passed.

Ordered, That the title thereof stand as stated.

Mr. Chrisman, from the committee on Engrossed Bills, made the following report;

MR. PRESIDENT—

The committee on Engrossed Bills have examined the bill to be entitled,

An act to extend the corporate limits of the town of Pass Christian, in the county of Harrison, and for other purposes,

And have found the same to be correctly engrossed.

Which was read, and

On motion of Mr. Chrisman,

Was received and agreed to.

Mr. Catchings, from a select committee, made the following report,

MR. PRESIDENT—

The select committee to whom was referred,

A bill to be entitled,

An act to repeal the common school law of Copiah county, approved Dec. 3d, 1858, and for other purposes,

Have instructed me to report the following amendment, to-wit:

Which was read, and

Strike out all after the first section, and insert the following:

On motion of Mr. Catchings,

Was received and agreed to.

And the bill therein reported,

To be entitled,

An act to repeal the common school law of Copiah county, approved December 3d, 1858, and for other purposes,

Was read the second time.

On motion of Mr. Catchings,

The amendment reported by the committee,

Was read and adopted.

And on motion of Mr. Catchings,

The rule was suspended, the bill read the third time as amended and passed.

Ordered, That the title thereof stand as stated.

Mr. Starke, by leave, called up House messages,

And the resolution therein reported appointing a committee of five on the part of the House and — on the part of the Senate, to invite Hon. J. W. Matthews to address the people on the political topics of the day,

Was read the first time.

Mr. Neill moved,

The blank in said resolution be filled with the number three, and that the Senate concur in the resolution.

Mr. Starke moved,

That the Senate do not concur in said resolution,

Which motion was lost.

Mr. Starke offered the following amendment :

Amend by adding after J. W. Matthews, the words, and J. L. Alcorn,

Which was read, and

On motion of Mr. Starke,

Was adopted.

The question then recurred on the motion of Mr. Neill to fill the blank with the number three and concur in the resolution,

Which was lost.

MR. PRESIDENT—

The select committee to whom was referred,

A bill to amend an act entitled,

An act to incorporate the Ripley Railroad Company,

Have had the same under consideration, and have instructed me to report the same back and to recommend its passage.

Which was read, and

On motion of Mr. Buchanan,

Was received and agreed to.

And the bill therein reported,

To be entitled,

An act to amend an act entitled,

An act to incorporate the Ripley Railroad Company, and for other purposes,

Was read the second time.

On motion of Mr. Buchanan,

The rule was further suspended, the bill read the third time and passed.

Ordered, that the title thereof stand as stated.

Mr. Covington by leave called up,

A House bill to be entitled,

An act for the benefit of the Mississippi Lunatic Asylum.

Which was read the first time.

On motion of Mr. Covington,

The rule was suspended, the bill read the second and third times and passed.

Ordered, That the title thereof stand as stated.

Mr. Gordon, from the committee on the Judiciary, made the following report:

MR. PRESIDENT—

The select committee to whom was recommitted the bill,

To be entitled,

An act to repeal an act to prohibit the sale of vinous and spiritous liquors in the town of Grenada, Yallobusha county, and for other purposes, Approved March 2, 1854;

Have had the same under consideration, and have instructed me to report said bill back to the Senate with an amendment thereto and recommend that said amendment be adopted and that the bill therewith be passed,

Which was read,

And on motion of Mr. Gordon,

Was received and agreed to.

And the bill therein reported,

To be entitled,

An act to repeal an act to prohibit the sale of vinous and spiritous liquors in the town of Grenada, Yallobusha county, and for other purposes, approved March 2d, 1854,

Was read the second time.

And the amendment reported by the committee striking out the second section and inserting two sections in its stead,

Was read and adopted.

Mr. Neill offered an amendment,

Which was read.

On motion of Mr. Gordon,

Said bill and amendments were recommitted to the committee on the Judiciary.

Mr. Catchings, by leave, called up the following resolution,

Resolved, [By the Senate, the House concurring,] That the Legislature will adjourn *sine die* on the fifteenth proximo,

Which was read the second time.

On motion of Mr. Harrison,

The further consideration of said resolution was postponed until Monday next and made the special order of the day for 11 o'clock A. M.

Mr. Howry, by leave, introduced,

A bill to be entitled,

S—10

An act to provide for the payment of a decree of the High Court of Errors and Appeals in favor of William F. Stearns,
Which was read the first time.

On motion of Mr. Howry,
The rule was suspended, and the bill read the second time by its title.

Mr. Starke offered the following amendment,

SEC. — *And be it further enacted,* That a like sum be allowed to Thos. J. Whorton and Daniel Mayes, each for their services in said case, and that the Auditor be authorized to issue his warrant therefor,

Which was read, and

On motion of Mr. Starke,

Was adopted.

On motion of Mr. Howry,

The rule was further suspended,

The bill as amended considered as engrossed,

Read third time and passed,

By yeas and nays as follows:

YEAS—Messrs. Catchings, Chrisman, Davis, Gordon, Howry, Harrison, Mims, Mason, Neill, Quin, Starke, Simonton, Talliaferro and Wilson.—14.

NAYS—Mr. President, Messrs. Brasier, Buchanan, Covington, Harris, Huie, McCord, Oliver, Rankin, Thomson and Thames.—11.

Mr. Oliver offered the following amendment,

Amend the title by adding and others,

Which was adopted.

Ordered, That the title thereof stand as stated as amended.

Mr. Davis, by leave, introduced,

A bill to be entitled,

An act to change the times of holding the Circuit Court of Scott county,

Which was read the first time.

On motion of Mr. Davis,

The rule was suspended, the bill considered as engrossed, read the second and third time and passed.

Ordered, That the title thereof stand as stated.

Mr. Thames, by leave, introduced,

A bill to be entitled,

An act to change the time of holding the Probate Court of Newton county,

Which was read the first time.

On motion of Mr. Thames,

The rule was suspended,

The bill considered as engrossed,

Read the second and third times by its title and passed.

Ordered, That the title thereof stand as stated.

Mr. Talliaferro, by leave introduced,

A bill to be entitled,

An act to authorize the substitution of papers,

Which was read the first time.

On motion of Mr. Talliaferro,

The rule was suspended, the bill read the second time by its title and referred to the committee on the Judiciary.

On motion of Mr. Chrisman,

The Senate proceeded to the consideration of the orders of the day.

A bill to be entitled,

An act to authorize the several Boards of Police of this State to grant licenses to set up and keep for public play billiard tables therein,

Was read the second time.

On motion of Mr. Chrisman,

The amendment reported to said bill by the committee to whom it had been referred, by way of substitute, to-wit :

A bill to be entitled,

An act to authorize the Boards of County Police of Adams, Wilkinson, Lawrence, Pike and Rankin, respectively to grant licences to set up and keep for public play, Billiard Tables in each of said counties,

Was read, and

On motion of Mr. Chrisman,

Was adopted,

By yeas and nays as follows, to-wit :

YEAS—Mr. President, Messrs. Buchanan, Catchings, Chrisman, Davis, Gordon, Huie, Mims, Quin, Rankin, Starke, Simonton, Thames and Talliaferro.—15.

NAYS—Messrs. Brasier, Covington, Harrison, Harris, Howry, Mason, McCord, Neill, Oliver and Wilson.—10.

Mr. Oliver offered the following amendment,

Amend by striking out city or town, and inserting Police District,

Which was read,

And on motion of Mr. Oliver,

Was adopted.

Mr. Oliver offered the following amendment,

After the word retailed, insert the words or drank,

Which was read, and

On motion of Mr. Oliver,

Was adopted.

On motion of Mr. Gordon,

Said bill was ordered to be engrossed and made the special order of the day for to-morrow at 10 o'clock A. M.

A bill to be entitled,

An act to amend the seventeenth section of the general provisions of the Constitution in relation to new counties,

Was read the second time.

And passed by yeas and nays as follows:

YEAS—Mr. President, Messrs. Brasier, Catchings, Covington, Davis, Gordon, Harrison, Harris, Huie, Mason, McCord, Oliver, Starke, Simonton, Thomson, Thames, Talliaferro and Wilson.—18.

NAYS—Messrs. Buchanan, Chrisman, Howry, Neill and Rankin.—5.

On motion of Mr. Harrison,

The Senate adjourned until to-morrow morning 9 o'clock.

TUESDAY, Nov. 29, 1859.

The Senate met pursuant to adjournment.

The Journal of yesterday was read and corrected.

The following message was received from the House, through their Clerk, Mr. Brougher,

MR. PRESIDENT:—

The House of Representatives has concurred in the Senate amendment to the House bill entitled,

An act to amend the eighth article of section second, chapter fifty-eight of the Revised Code of Mississippi, in relation to the civil jurisdiction of Justices of the Peace.

And has passed,

A bill to increase the salary of the Probate Judge of Pike county.

Mr. Brasier, by leave, introduced,

A bill to be entitled,

An act to revive the forthcoming bond law and forfeiture as to judgments and executions by Justices of the Peace.

Which was read the first time.

On motion of Mr. Brasier,

The rule was suspended and the bill read the second time and referred to the committee on the Judiciary.

Mr. Mason, by leave presented the petition of Robert G. Purnell and others, of Marshall county, which was

Referred to the committee on the Judiciary,

Without reading.

Mr. Gordon, from the committee on the Judiciary, made the following report :

MR. PRESIDENT :—

The committee on the Judiciary to whom was referred,

The bill to be entitled,

An act to repeal an act to prohibit the sale of vinous and spirituous liquors in the town of Grenada, Yallobusha county, and for other purposes, approved March 2d, 1854,

With amendments thereto,

Have had said bill and amendments under their consideration, and have instructed me to report the same back to the Senate with an amendment to the original bill, and sundry amendments to the amendments thereto, submitted to your committee, and recommend that said amendments be adopted, and the bill therewith passed.

Which was read, and

On motion of Mr. Gordon,

Was received and agreed to.

On motion of Mr. Gordon,

The Senate proceeded to the consideration of said bill forthwith, to-wit :

It was read the second time.

And the amendments reported by the committee,

Were read,

And on motion of Mr. Gordon,

Were adopted.

On motion of Mr. Gordon,

The amendments to said bill were ordered to be engrossed, and made the special order of the day for to-morrow.

Mr. West, by leave, introduced,

A bill to be entitled,

An act to amend article 190, of chapter 61, of the Revised Code.

Which was read the first time.

On motion of Mr. West,

The rule was suspended, the bill read the second time by its title and referred to the committee on the Judiciary.

Mr. Gordon, Chairman of the committee on the Judiciary, made the following report :

MR. PRESIDENT :—

The committee on the Judiciary to whom was referred,

The House bill to be entitled,

An act to prevent debtors from defrauding creditors under the exemption law,

Have had said bill under consideration, and have instructed me to report the same back to the Senate, and recommend that it do not pass.

Which was read.

Mr. Gordon moved,

That the report be received and agreed to.

Mr. McCord called for a division of the question.

The vote was first taken on receiving said report,

Which was decided in the affirmative.

The question was next taken on agreeing to said report,

Which was decided in the affirmative.

Mr. Gordon, from the committee on the Judiciary, made the following report :

MR. PRESIDENT—

The committee on the Judiciary, to whom was referred,

A resolution instructing your committee to enquire into the expediency of repealing the law allowing fees to Probate Clerks and making them salaried officers to be paid out of the county treasuries of their several counties,

Have had said resolution under their consideration, and after duly examining the subject, have instructed me to report that they deem it inexpedient to adopt the suggestions set forth in said resolution, or to change the present law referred to therein.

Your committee, therefore, have further instructed me to report said resolution back to the Senate, and ask to be discharged from the further consideration thereof.

Which was read.

And on motion of Mr. Gordon,

Was received and agreed to.

Mr. Chrisman, from the committee on Enrolled Bills, made the following report :

MR. PRESIDENT—

The committee on Enrolled Bills have examined,

A bill to be entitled,

An act to amend an act to incorporate the town of Oxford, in the county of Lafayette, approved May 11th, 1837.

And also,

A bill to be entitled,

An act for the relief of Martha W. Alford and her two minor children, John Dudley Alford and James William Alford,

And have found the same correctly enrolled,

Which was read.

And on motion of Mr. Chrisman,

Was received and agreed to.

Mr. Mason, from the committee on claims, made the following report:

MR. PRESIDENT—

The committee on Claims to whom was referred,

The account of C. W. Moody,

Beg leave to report the same back to the Senate for their action, as no law can be found embracing the claim, or providing for the payment of such services as has been rendered, and the committee ask to be discharged from its further consideration.

Which was read,

And on motion of Mr. Mason,

Was received and agreed to.

Mr. Harris asked and obtained leave to introduce, the accompanying papers to the bill to be entitled,

An act for the relief of Martha W. Alford and her two minor children, John Dudley and James William Alford.

Mr. Mims, from a select committee, made the following report:

MR. PRESIDENT—

The select committee to whom was referred,

An act to be entitled,

An act to aid in the erection of a monument to commemorate the services of the 1st and 2d Regiments of the State of Mississippi, in the war with Mexico,

Have had the same under consideration, and have instructed me to report, Mr. Wilson dissenting, believing that the monument should be built by private contribution.

That they consider the bill as appealing to a sense of justice, patriotism and gratitude, which the State through her Representatives should respond to. They regard the proposition made to them, as not admitting opposition, but demanding earnest co-operation in the commemoration of splendid achievements which have shed lustre and renown on the name of Mississippi, and perpetuation of gallant deeds which have covered her arms with undying glory.

They recur to the storming of Monterey, and the charge of Mississippi rifles on Buena Vista's deadly field, and their deeds of daring that won victory, find the grateful plaudits of a nation. They remember those who perished from hardships and exposure, and forget not those gallant men who, forsaking the comforts and endearments of home and friends, rushed to the scene of conflict, and yielded their lives in defence of the rights and honor of their State.

They doubt not that a State whose courage and chivalry has thus been illustrated on foreign fields of war, and whose character thus established, is the common glory and common pride of

her sons, can fail to testify in the manner indicated, her appreciation of such services, her remembrance of the living heroes of that war, and to forever strive and perpetuate the memory of her illustrious dead.

Assured of the approval and applause of a grateful people, they would aid in raising this monumental shaft, and chisel on its enduring marble impershable names and deeds, and tell to other times that Mississippi knew how to honor those who fought her battles, and died in her defence.

They learn that the sum of \$2,500 was collected some years ago by private subscription for this purpose, and consider that \$10,00 is actually required for work.

They therefore recommend the passage of the bill with an amendment substituting \$7,500 for \$5,000, in order to raise monument worthy the great and gallant State erecting it—worthy the valor and heroism displayed by her sons in the war it shall commemorate, and worthy the memory of the dead who fell in that contest.

They also report the following amendment: To add after the word "completed," in the second section, "and the work to be approved by the Governor," and recommend that the bill, with these amendments, do pass.

Which was read, and

On motion of Mr. Mims,

Was received and agreed to.

And the Senate proceeded to the consideration of said bill forthwith, to-wit.

A bill to be entitled,

An act to aid in the erection of a monument to commemorate the services of the 1st and 2d Regiments of the State of Mississippi in the war with Mexico.

Was read the second time.

And the amendments reported by the committee,

Were read and adopted.

Mr. Simonton offered the following amendment:

Provided that there shall be first an effort made in every county in the State through some organized system to collect by subscription a sufficient amount to rear a monument that will be an honor to the State.

Which was read.

On motion of Mr. West,

Said bill and amendments were re-committed to the same committee, to-wit.

Messrs. Mims, Gordon, and Starke.

On motion of Mr. West,

Mr. Simonton was added to said committee.

Mr. Howry, from a select committee, made the following report:

MR. PRESIDENT :—

The select committee to whom was referred.

The House bill to be entitled,

An act to repeal in part article 4, chapter 9, of the Revised Code, and amendments thereto,

Have had the same under consideration and have instructed me to report a substitute in lieu of the original bill and amendments, and recommend its passage.

Which was read,

On motion of Mr. Howry,

Was received and agreed to.

The Senate proceeded to the consideration of said bill forthwith, to-wit :

A bill to be entitled,

An act to repeal in part article 4, chapter 9, of the Revised Code

Was read the second time.

And the amendment reported by the committee,

Was read and adopted.

On motion of Mr. Howry,

The rule was suspended, the bill read the third time, and passed,

Ordered, That the title thereof stand as stated.

Mr. Harrison by leave introduced,

A bill to be entitled,

An act further to compensate the owners of slaves executed for crimes,

Which was read the first time.

Mr. Mason, by leave, introduced,

A bill to be entitled,

An act to amend the jury law in criminal cases.

Which was read the first time.

On motion of Mr. Mason,

The rule was suspended the bill read the second time,

And referred to the committee on the Judiciary.

Mr. Drane, by leave, introduced,

A bill to be entitled,

An act for the relief of J. B. Mabry and W. B. Hale,

Which was read the first time.

On motion of Mr. Drane,

The rule was suspended, the bill read the second and third times, and passed.

Ordered, That the title thereof stand as stated.

Mr. Thomson, by leave, introduce,

A bill to be entitled,

An act to amend the Probate Court laws.

Which was read the first time.

On motion of Mr. Thomson,

The rule was suspended,

The bill read a second time and

And referred to the committee on the Judiciary.

On motion of Mr. Starke,

Leave of absence was granted to Mr. Davis for a few days.

On motion of Mr. Chrisman,

The Senate proceeded to the consideration of the orders of the day.

A bill to be entitled,

An act to authorize the Boards of County Police of the counties of Adams and Wilkinson, Lawrence, Pike, Rankin, respectively to grant licenses to set up and keep for public play Billiard Tables in each of said counties,

Was read the third time and passed.

By yeas and nays, as follows, Mr. Drane being excused from voting:

YEAS—Messrs. Buchanan, Catchings, Chrisman, Gorden, Huie, Mims, Quin, Rankin, Starke, Simonton, Thomson, Thames, and Talliaferro—13.

NAYS—Messrs. Brasier, Covington, Harrison, Harris, Mason, McCord, Neill, Oliver and Wilson—9.

Ordered that the title thereof stand as stated.

A bill to be entitled,

An act to repeal a portion of an act entitled,

An act to establish Circuit Courts, to define their jurisdiction, and to regulate the practice therein,

Was read the second time.

On motion of Mr. Starke,

The further consideration of said bill was postponed until Friday next, and made the special order of the day for a second reading for 11 o'clock A. M.

Mr. Stark, by leave, offered the following resolution,

Resolved, That a committee of three members on the part of the Senate be appointed to revise and amend the rules of the Senate.

Which was read.

And on motion of Mr. Starke,

Was adopted.

The President appointed as said committee, Messrs. Gordon, Ellett and Oliver.

The Senate resumed the consideration of the orders of the day.

A bill to be entitled,

An act to extend the corporate limits of the town of Pass Christian, in the county of Harrison, and for other purposes,

Was read the second time.

On motion of Mr. Starke,

The further consideration of said bill was postponed until Sat-

urday next, and made the special order of the day for a second reading at 11 o'clock A. M.

A bill to be entitled,

An act to amend the seventeenth section of the general provisions of the constitution in relation to new counties.

Was read the third time.

Mr. Drane asked and obtained the unanimous consent of the Senate to amend said bill as follows:

Strike out the words "Justice of the Peace," where they occur in the bill, and insert the words "new counties."

On motion of Mr. Drane,

The bill as amended was passed,

By yeas and nays, as follows:

YEAS—Mr. President, Messrs. Brasier, Covington, Gordon, Harrison, Harris, Huie, Mims, Mason, McCord, Oliver, Quin, Starke, Simonton, Thomson, Thames, and Wilson—17.

NAYS—Messrs. Chrisman, Howry, Neill and Rankin,—4.

The following message was received from the House of Representatives, through their Clerk, Mr. Brougher,

MR. PRESIDENT—

The House has passed the following joint resolutions, in which the concurrence of the Senate is desired:

Resolved, (the Senate concurring,) That the petitions and accompanying documents in relation to the organization of new county to be taken off of the counties of Tippah, Marshall, Lafayette and Pontotoc, be referred to a joint committee composed of the members and Senators from the counties named, and that they report by bill or otherwise.

Resolved, (the Senate concurring,) That the two Houses meet in the Representatives' Hall on Thursday next, at 11 o'clock, to elect a State Librarian, and Superintendent and Clerk of the Penitentiary.

Resolved, (the Senate concurring,) That the committee on the Penitentiary be instructed to enquire into the expediency of leasing or renting out the State Penitentiary, and that they report by bill or otherwise.

Mr. Gordon, by leave, offered the following joint resolution:

Resolved, That a committee of three members of the Senate be appointed to enquire into the propriety and expediency of purchasing from Richard Elward, an extensive collection of newspapers in well bound volumes, published in the United States, and especially in this State, embracing a long period of time past.

Which was read,

And on motion of Mr. Gordon,

Was adopted.

The President appointed as said committee, Messrs. Gordon, Thomson and Harris.

The following message was received from the House of Representatives, through their Clerk, Mr. Brougher,

MR. PRESIDENT—

The House of Representatives has passed,

Bills with the following titles:

A bill to be entitled,

An act to amend an act to incorporate the town of Woodville.

A bill to be entitled,

An act to authorize the Board of Police of Attala county to appropriate certain funds to the construction of a Court-House in said county.

A bill to be entitled,

An act the more particularly to describe a portion of the boundary line of Scott county.

A bill to be entitled,

An act to confirm and amend the Charter of Incorporation of the town of Rodney.

A bill to be entitled,

An act to amend the swamp land law of Franklin and Amite counties.

A bill to be entitled,

An act to amend an act entitled,

An act to establish and incorporate the town of Yazoo City approved March 3d, 1846,

A bill to be entitled,

An act to amend the school laws of Leake county.

A bill to be entitled,

An act to more fully secure the Chickasaw School Fund, so far as it relates to Calhoun county.

A bill to be entitled,

An act supplemental to an act entitled an act to enable the United States of America to obtain a title to St. Joseph's Island, near the east end of the Rigolets, in the county of Hancock, for the purpose of constructing a Light House thereon, approved Nov. 19, 1857.

Also,

A Senate bill to be entitled,

An act to amend the Charter of the corporation of the town of Corinth in the county of Tishomingo.

And have made some amendments thereto.

In all of which the concurrence of the Senate is desired.

Mr. Mims, by leave, introduced,

A bill to be entitled,

An act to amend an act entitled,

An act for the relief of Henry L. Muldrow of Oktibbeha coun-

ty, Thomas J. Walton of Warren county, and R. H. Purdom of Hinds county, approved March 30, 1859.

Which was read the first time.

On motion of Mr. Mims,

The rule was suspended and the bill read the second time by its title.

And referred to a select committee of three.

The President appointed as said committee,

Messrs. Mims, Talliaferro and West.

Mr. Thames, by leave, introduced,

A bill to be entitled,

An act to amend article eight, section one, of chapter fifteen of the Revised Code, so far as relates to the counties of Lauderdale and Newton.

Which was read the first time.

On motion of Mr. Thames,

The rule was suspended and the bill read the second time by its title.

On motion of Mr. Mason,

Said bill was referred to the Judiciary Committee.

Mr. Rankin, by leave called up,

A bill to be entitled,

An act for the relief of J. M. Bradley, of Perry county.

On motion of Mr. Rankin,

Said bill was referred to a select committee of three.

The President appointed as said committee,

Messrs. Rankin, West and Chrisman.

Mr. West, by leave, offered the following resolution:

Resolved, By the Senate, that the Judiciary committee be requested to investigate, and if deemed Constitutional, report a bill providing for the more rigid execution of our inspection laws, by imposing duties on the importation of all goods from the following States, which bill shall in every respect conform to the 10th section of the Constitution of the United States.

Which was read and adopted.

And on motion of Mr. West,

Was referred to the committee on the Judiciary.

Mr. Starke, by leave, called up House messages,

And the first joint resolution therein reported, proposing to raise a joint select committee composed of the members and Senators from the counties of Tippah, Mrrshall, Lafayettee and Pontoloc, to whom sha l be referred the petitions and accompanying documents in relation to the organization of a new county, to be taken from said counties named.

Was read the first time.

And on motion of Mr. Starke

The rule was suspended, the resolution read the second time and concurred in.

The President appointed as said committee on the part of the Senate,

Messrs. Buchanan, Mason, Howry and Wilson, as directed by the resolution.

The second joint resolution, proposing that the two Houses meet in joint convention in the Hall of the House of Representatives on Thursday next at 11 o'clock, to elect a State Librarian and Superintendent and Clerk of the Penitentiary.

Was read the first time.

Mr. Howry moved,

To strike out "State Librarian," and insert "Keeper of the Capitol."

Which motion was adopted.

Mr. Starke moved,

To strike out "Superintendent and Clerk of the Penitentiary,"

Which motion was adopted.

On motion of Mr. Howry,

The rule was suspended, the resolution and amendment read the second time and concurred in.

The third joint resolution, instructing the joint committee on the Penitentiary to enquire into the expediency of leasing or renting out the State Penitentiary, and that they report by bill or otherwise,

Was read the first time.

On motion of Mr. Oliver,

The rule was suspended, the resolution read the second time and concurred in.

The Senate proceeded to the consideration of House bills.

A House bill to be entitled,

An act to amend the School Laws of Leake county.

Was read the first time.

On motion of Mr. Huie,

The rule was suspended, the bill read the second and third times, and passed.

Ordered, that the title thereof stand as stated.

A House bill to be entitled,

An act to extend the provisions of an act entitled an act for the relief of Joseph P. Robertson, Timothy Rogers, David J. Duckworth and Norville Rogers, approved Nov. 22d, 1858.

Was read the first time.

On motion of Mr. Rankin,

The rule was suspended, the bill read the second time, and referred to a select committee of three.

The President appointed as said committee,

Messrs. Rankin, Catchings and Wilson.

A House bill to be entitled,

An act in relation to the disinterment of certain dead bodies for anatomical purposes.

Was read the first time.

On motion of Mr. Harrison,

The rule was suspended the bill read the second time by its title.

Mr. Neill offered the following amendment:

Strike out the words "or Indians,"

Which was read.

And on motion of Mr. Neill,

Was adopted.

On motion of Mr. Harrison,

Said bill and amendments were referred to a select committee of three.

The President appointed as said committee,

Messrs. Harrison, Harris and Catchings.

A House bill to be entitled,

An act to repeal article two hundred and twenty-six, of section forty-eight, of chapter sixty-four, of the Revised Code, and for other purposes.

Was read the first time.

On motion of Mr. Harrison,

The rule was suspended, and the bill read the second time by its title.

On motion of Mr. Gordon,

Said bill was

Referred to the committee on the Judiciary.

A House bill to be entitled,

An act to modify article 14, section 3, chapter 59, so far as the same relates to the counties of Marion and Hinds.

Was read the first time.

On motion of Mr. Rankin,

The rule was suspended, the bill considered as engrossed, read the second and third times and passed.

Ordered, that the title thereof stand as stated.

A House bill to be entitled,

An act for the relief J. R. Watts, late Tax Assessor of Lauderdale county.

Was read the first time.

On motion of Mr. Thames,

The rule was suspended the and bill read the second time by its title.

On motion of Mr. Neill,

Said bill was

Referred to the committee on the Judiciary.

Mr. Oliver, by leave, introduced,

A bill to be entitled,

An act to exempt from execution and sale slaves, in cases where

the plaintiff, or the person for whose use the money is sought to be collected, denies the right of property in slaves.

Which was read the first time.

On motion of Mr. Oliver,

The rule was suspended, the bill read the second time and referred to the committee on the Judiciary.

The President appointed as the committee on

The bill to be entitled,

An act in reference to public roads,

As follows:

Messrs. Thomson, Harrison and Brasier.

On motion of Mr. Harrison,

The Senate adjourned until to-morrow morning at 9 o'clock.

WEDNESDAY, Nov. 30, 1859.

The Senate met pursuant to adjournment.

The Journal of yesterday was read and approved.

Messrs. McLain and McRae appeared in their seats.

Mr. Chrisman, from the committee on Engrossed Bills, made the following report,

MR. PRESIDENT—

The committee on Engrossed Bills have examined,

A bill to be entitled,

An act to repeal an act to prohibit the sale of vinous and spiritous liquors in the town of Grenada, Yallobusha county, and for other purposes, approved March 2d, 1854,

And have found the same correctly engrossed.

Which was read, and

On motion of Mr. Chrisman,

Was received and agreed to.

Mr. Thomson, from the committee on the Judiciary, made the following report,

MR. PRESIDENT—

The committee on the Judiciary to whom was referred,

The bill to be entitled,

An act to authorize the substitution of papers,

Have had the same under consideration, have made an amendment thereto by way of substitute for the original bill, and have

instructed me to report said substitute in lieu of said original bill, and recommend that it do pass.

Which was read, and

On motion of Mr. Thomson,

Was received and agreed to.

On motion of Mr. Thomson,

The Senate proceeded to the consideration of said bill forthwith, to-wit :

A bill to be entitled,

An act to authorize the substitution of papers,

Which was read the second time,

And the amendment reported by the committee by way of substitute, to-wit :

A bill to be entitled,

An act for the substitution of papers lost or destroyed in the Circuit Court of Tallahatchie county,

Was read, and

On motion of Mr. Thomson,

Was adopted.

On motion of Mr. Thomson,

The rule was suspended, the bill read third time as amended and passed.

Ordered, That the title thereof stand as stated.

Mr. Rankin, from a select committee, made the following report :

MR. PRESIDENT—

The committee to whom was referred,

The bill entitled,

An act to extend the provisions of an act entitled an act for the relief of Asaph P. Robertson, Timothy Rogers, Daniel J. Duckworth and Norvelle Rogers, approved Nov. 22, 1858,

Have had the said bill under consideration and have instructed me to report same back to the Senate with the following amendment as an additional section and recommend its passage:

Amendment :

SEC. 2. *Be it further enacted*, That this act take effect and be in force from and after its passage.

Which report,

On motion of Mr. Rankin,

Was received and agreed to.

And the bill therein referred to was read the second time.

The amendment was read and adopted.

And the bill as amended was,

On motion of Mr. Rankin,

Read the third time and passed,

The title thereof standing as stated.

Mr. Rankin, from a select committee, made the following report :

Which was received and agreed to.

MR. PRESIDENT—

The select committee to whom was referred,
The bill to be entitled,
An act for the relief of James M. Bradley, of Perry county,
Have had the same under consideration and have instructed me
to report the same back to the Senate, and recommend its
passage.

The bill referred to was read the second time, and
On motion of Mr. Rankin,
The rule was suspended, the bill read the third time and
passed,

The title thereof standing as stated.

Mr. Chrisman, from the committee on the Gulf and Ship
Island Railroad, made the following report :

MR. PRESIDENT—

The joint select committee on the Gulf and Ship Island Rail-
road,

Have had the same under their consideration, and have
instructed me to report the following bill and memorial, and
recommend their passage,

Which was received and agreed to.

The bill entitled,

An act to provide for the transfer of the stock of the State of
Mississippi in the New Orleans, Jackson and Great Northern
Railroad, the Mississippi Central Railroad, and the Mobile and
Ohio Railroad, to the Gulf and Ship Island Railroad,

Was read the first time.

On motion of Mr. Chrisman,

The rule was suspended, the bill read a second time,

Laid on the table, and

200 copies ordered to be printed for the use of the Legislature.

The memorial accompanying said bill was read, and

On motion of Mr. Chrisman,

Was ordered to lay on the table and

200 copies ordered printed for the use of the Legislature.

Mr. Mims, from a select committee, made the following
report,

Which was received and agreed to:

MR. PRESIDENT—

The select committee to whom was referred,

An act for the purpose of changing the time of holding the Cir-

cuit Courts in the 1st and 2d Judicial Districts of the county of Hinds, and for other purposes.

Have had the same under consideration, and have instructed me to report the same back, and recommend that it pass.

The bill referred to in the above report was read the second time.

On motion of Mr. Mims,

The rule was suspended, the bill read the third time and passed,

The title thereof standing as stated.

Mr. Starke called up,

A bill to be entitled,

An act to incorporate the Holly Springs Life and General Insurance Company,

Which was read the second time.

The yeas and nays were called for upon the amendment offered by Mr. Oliver a few days ago to the above bill,

Which amendment was as follows :

Amend Sec. 2d by adding after the word payment, and on the transfer of said stock, by any stockholder in said Company, the person or persons, so transferring, shall indorse the same, and in case of failure of the Company to pay all its indebtedness of every description, the indorser shall be liable, in his private capacity, to the amount of the stock by him subscribed or transferred, and indorsed by him for the term of one year after such transfer and indorsement.

The amendment was lost upon a call of the yeas and nays as follows :

YEAS—Mr. Oliver.—1.

NAYS—Mr. President, Messrs. Brasier, Buchanan, Catchings, Covington, Chrisman, Gordon, Harrison, Harris, Huie, McLain, Mason, McCord, McRae, Quin, Starke, Simonton, Thomson, Thames, Taliaferro and Wilson.—21.

Mr. Chrisman made a motion to amend by striking out, or loaning, in line ten.

The yeas and nays were called for upon Mr. Chrisman's amendment, with the following result,

Mr. Catchings being excused from voting:

YEAS—Messrs. Chrisman, Enloe, Mims, McRae, Quin and Rankin.—6.

NAYS—Mr. President, Messrs. Brasier, Buchanan, Covington, Gordon, Harrison, Harris, Huie, McLain, Mason, McCord, Oliver, Starke, Simonton, Thomson, Thames, Talliaferro and Wilson.—18.

The amendment was, therefore, lost.

Mr. Harrison offered the following amendment,

Which was adopted :

Amend the 17th section by adding,

Provided : That any person or persons, circulating such certificate of deposit shall be liable to the same penalties imposed by this section on the corporation for issuing such certificates as a circulating medium, and to be recovered in like manner.

Mr. Oliver moved to strike out the 14th section of the bill.

The motion was lost.

The following message was received from his Excellency the Governor, through his Private Secretary, Mr. Campbell :

EXECUTIVE OFFICE, }
City of Jackson, Nov. 30, 1859. }

To the Senate and House of Representatives :

GENTLEMEN :—I herewith transmit to you the report of the Trustees of the University of Mississippi, with accompanying documents, and respectfully ask for it that consideration which is due to a subject of such vital importance to the educational interests of the State.

J. J. PETTUS.

Mr. Starke moved,

That the bill entitled,

An act to incorporate the Holly Springs Life and General Insurance Company,

Be engrossed and made the special order for Thursday 11 o'clock.

Mr. Talliaferro, Chairman of the committee on the Militia, made the following report :

MR. PRESIDENT ;—

The committee on the Militia, in obedience to a resolution of the Senate instructing them to examine and report the number, quality and condition of the arms of every description in the State Arsenal, and also what arms, if any, are in the possession of volunteer companies in this State, have been engaged in the discharge of that duty, and I am instructed to make the following report :

They find in the Arsenal one hundred and ten (110) Mississippi rifles in good order; two hundred and thirty-four (234) muskets in tolerable order; fourteen (14) Colt's repeaters; forty-seven (47) cavalry swords; two hangers (2) for artillery; seventy-one (71) cavalry sabers; twenty-eight (28) pair of holsters and caps; one hundred and seventy-six (176) old muskets entirely out of order; one (1) brass six pounder mounted; one (1) iron six pounder not mounted.

They also find, from a report furnished them by the Quarter-Master-General, that there have been received into the Arsenal,

during the past year, ending the 29th day of November, 1859, from the United States Ordnance Department, 191 percussion pistols with accoutrements; 191 cavalry sabers with accoutrements; and from the Natchez Fencibles sixty (60) stand of Mississippi rifles. Also, that there have been distributed to volunteer companies, arms, as follows, to-wit:

To the Oktibbeha Guards (infantry,) 50 stand of Mississippi rifles and accoutrements; to Quitman Guards (infantry,) 40 stand muskets and accoutrements; Mississippi Rifles (infantry,) 50 stand Mississippi rifles and accoutrement; Chiwappa Dragoons (cavalry,) 100 percussion pistols and accoutrements, and 50 cavalry sabers and accoutrements; Leake Cavalry, 90 percussion pistols and accoutrements, and 45 cavalry sabers and accoutrements; to the Adjutant-General one percussion pistol and accoutrements; to the State Penitentiary 4 Colt's repeaters; to Mississippi Rifles 4 dress swords.

Your committee would suggest that this exhibit shows the State of Mississippi to be in a very poor condition for the defence of her Constitutional rights, if a contingency should occur making it necessary to resort to force. The sectional organization at the North, with their principles, and threats—the recent conspiracy and demonstration at Harper's Ferry induce them to apprehend that such a crisis may occur, and they respectfully suggest the propriety and policy of appropriating ——— dollars, to be placed at the disposition of the Governor, for the purchase of such arms, and the procuring of such munitions of defence, as he may deem necessary for the State, in prospect of events that may come upon us.

All of which is respectfully submitted.

Which was received and agreed to.

Mr. Starke moved a reconsideration of the vote as to agreeing to the foregoing report,

Which motion was adopted.

Mr. Starke moved that the report be received,
Adopted.

On motion of Mr. McLain,

The report was laid on the table for the present.

Mr. Harrison, from a select committee, made the following report:

MR. PRESIDENT :—

The select committee to whom was referred,
House bill in relation to the disinterment of certain dead bodies for anatomical purposes, and the amendment,

Have had the same under consideration and report the following bill as a substitute, and recommend it do pass.

On motion of Mr. Harrison,

The Senate proceeded to the consideration of said bill.

The substitute bill was read the second time.

Mr. Starke moved to postpone the consideration of said bill indefinitely.

The yeas and nays were called with the following result :

YEAS—Messrs. Buchanan, Huie, Mims, McCord, Neill, Starke, and Thames.—7.

NAYS—Mr. President, Messrs. Braiser, Chrisman, Ellett, Enloe, Harrison, Harris, McLain, Mason, McRae, Oliver, Quin, Rankin, Simonton, Thomson, Talliaferro, Wilson.—17.

Mr. Neill offered an amendment to the bill as follows :

After the word dissection, insert,

Provided : Said interment be not in a family grave yard, or any public place for the interment of the dead.

Mr. Starke offered the following amendment :

Add after the word negroes, or any white person executed for crime.

Mr. Quin introduced,

A bill to be entitled,

An act for the relief of the estate of A. M. Stratton, deceased,
Which was read.

On motion of Mr. Quin,

The rule was suspended, the bill read the second time and
Referred to a select committee of three.

The President appointed as said committee,

Messrs. Quin, Chrisman and McCord.

Mr. Neill called up,

Senate bill entitled,

An act in relation to warrants on the sale of slaves,

Which was read the second time.

Mr. Simonton offered the following amendment,

Provided : The said slave shall not have received punishment from his master or overseer beyond the limits of the law of this State.

The bill was read twice and

On motion of Mr. Wilson,

Referred to the committee on the Judiciary,

Mr. Harris introduced,

A bill entitled,

An act to authorize Hairston, guardian of George Colloway, a lunatic, to sell and convey the estate of said lunatic, and for other purposes,

With accompanying petition,

Which was read the first and second time,

And referred to the committee on the Judiciary.

Mr. Wilson moved,

To refer the Governor's message, with the documents accompanying it, to the committee on the University,

Which motion was lost.

Mr. Gordon moved,

To lay the message and documents on the table,

And order them to be printed,

Which was adopted.

The Senate proceeded to the consideration of the orders of the day.

A House bill entitled,

An act to repeal an act to prohibit the sale of vinous and spiritous liquors in the town of Grenada, Yalobusha county, and for other purposes, approved March 2d, 1854.

Was read the third time with the engrossed Senate amendments, and passed as amended,

The title thereof standing as stated.

A Senate bill to be entitled,

An act further to compensate the owners for slaves executed for crime,

Was read the second time.

Mr. Harrison moved,

A suspension of the rule that the bill might be read a third time and put upon its passage.

Upon this motion the yeas and nays were called with the following result :

YEAS—Messrs. Harrison and Harris.—2.

NAYS—Messrs. Brasier, Buchanan, Covington, Chrisman, Ellett, Enloe, Gordon, Huie, McLain, Mason, McCord, McRae, Neill, Oliver, Quin, Rankin, Starke, Simonton, Thomson, Thames, Talliaferro and Wilson.—22.

The motion was, therefore, lost.

Mr. Starke offered the following resolution,

Which was read and adopted:

Resolved, That the House of Representatives be requested to return to the Senate,

A bill entitled,

An act to increase the salaries of the Judges of the High Court of Errors and Appeals,

Which was passed by the Senate at a former day of the present session, and sent to the House—an error having been accidentally made in the engrossment of the bill.

A House bill to be entitled,

An act to regulate the sale of vinous and spiritous liquors in Centre beat, Yallobusha county,

Was read the first time.

On motion of Mr. Brasier,

The rule was suspended, and the bill read the second time and Referred to a select committee of three.

The President appointed as said committee, Messrs. Brasier, Mason and Buchanan.

A House bill entitled,

An act for the relief of Hendley S. Bennett.

Was read the first time.

On motion of Mr. Wilson,

The rule was suspended, the bill read a second time, and

On motion of Mr. Neill,

Was referred to the committee on Propositions and Grievances.

A House bill entitled,

An act to prohibit the sale and gratuitous distribution of spiritous liquors in the town of Mt. Carmel, and within certain limits there from,

Was read the first and second time, and

On motion of Mr. Rankin,

Was referred to a select committee of three.

The President appointed as said committee,

Messrs. Rankin, Chrisman and Wilson.

A House bill entitled,

A bill to increase the salary of the Probate Judge of Pike county,

Was read the first time.

Under a suspension of the Constitutional rule, the bill was read the second and third times and passed,

The title thereof standing as stated.

A House bill entitled,

An act supplemental to an act to enable the United States of America to obtain a title to St. Joseph's Island, near the east end of the Regolets, in the county of Hancock, for the purpose of constructing a light-house thereon, approved Nov. 19, 1857,

Was read the first time.

On motion of Mr. Ellett,

The rule was suspended, the bill read the second and third times and passed,

The title thereof standing stated.

A House bill entitled,

An act more fully to secure the Chickasaw school fund, so far as it relates to Calhoun county,

Was read the first time.

Mr. Brasier moved,

A suspension of the rule, and the bill was read the second time.

On motion of Mr. Brasier,

The rule was further suspended, the bill read the third time and passed,

The title standing as stated.

A House bill to be entitled,

An act to amend an act entitled an act to establish and incorporate the town of Yazoo City, approved March 3d, 1846,

Was read.

On motion of Mr. Starke,

The rule was suspended, the bill read the second time.

On motion of Mr. Starke,

Said bill was laid on the table.

On motion of Mr. Wilson,

The Senate adjourned until to-morrow morning at 9 o'clock.

THURSDAY, Dec. 1, 1859.

The Senate met pursuant to adjournment,

The Journal of yesterday was read.

The following message was received from the House of Representatives, through their Clerk, Mr. Brougher,

MR. PRESIDENT—

The House of Representatives has concurred in the joint resolution of the Senate with regard to printing 5000 copies of the Inaugural Address of Governor Pettus.

And has passed,

A House bill entitled,

An act to amend the revenue laws of this State.

Also,

Senate bills of the following titles, viz:

A bill to extend the time of holding the Probate Court of Lafayette county.

An act to amend an act entitled,

An act to incorporate the Ripley Railroad Company, and for other purposes,

An act to authorize the Boards of Police of Madison county to invest the three per cent. fund of said county in the bonds of certain railroads.

An act to exempt certain lands from taxation.

With an amendment thereto, in which the concurrence of the Senate is desired.

An act for the relief of J. H. Anderson, Tax Collector of Monroe county.

An act for the relief of Nathan Spears,

An act to extend the time for holding the Police Court of Tishomingo county.

With an amendment,

In which the concurrence of the Senate is desired.

Resolution, granting leave of absence to Hon. Wm. Cothran,

With sundry amendments,

In which the concurrence of the Senate is desired.

Mr. Harrison, Chairman of the Committee on Internal improvements, reported as follows:

MR. PRESIDENT—

The joint standing committee on Internal improvements, to whom was referred,

A bill to be entitled,

An act to incorporate the Mobile and Ohio Telegraph Corporation,

Have had the same under consideration, and instructed me to report the bill back with following amendment, to-wit:

Limit the capital stock to (\$50,000) fifty thousand dollars; strike out all in seventh section after the word "proper," and in the eighth section, before the words "destroy or commit," add the words "wilfully and maliciously," and recommend that the bill as amended do pass.

Which was read, received and agreed to.

Mr. McLain moved,

To take up the bill referred to immediately.

The bill was accordingly read the third time with the amendment.

The first amendment, to-wit,

Limit the capital stock to fifty thousand dollars (\$50,000.)

Was read and adopted.

Second amendment, to-wit,

Strike out all after the word "proper."

Was adopted.

The third amendment, to-wit,

In the 8th section, after the words "destroy or commit," add the words "wilfully and maliciously,"

Was put, and a division was called for, when the amendment was adopted.

Mr. Davis moved,

To strike out the 8th section of the bill.

Which was adopted.

On motion of Mr. McLain,

The bill was ordered to be engrossed, and made the special order for to-morrow.

Mr. Ellett, from the committee on the Judiciary, made the following report.

MR. PRESIDENT—

The Judiciary Committee to whom was referred,

A House bill entitled,

An act to repeal article two hundred and twenty-six, of section forty-eight, of chapter sixty-four, of the Revised Code, and for other purposes,

Have had the same under consideration and have instructed me to report the same back with amendments, and recommend the adoption of the amendments, and the passage of the bill as amended.

Which was received and agreed to.

On motion of Mr. Ellett,

The Senate proceeded to the consideration of said bill,

Which was read,

With the amendments, to-wit,

Amend by striking out all after the enacting clause, and inserting the following :

That no druggist or apothecary shall sell, barter, or otherwise dispose of any wares or merchandize, goods or chattels, on Sunday, except drugs or medicines actually needed by the sick, and any person offending against the provisions of this act shall be liable to indictment, and on conviction, shall be fined not exceeding twenty dollars for each offence.

Also, amend the title by striking out the word "repeal," and inserting the word "amend." Also, strike out the words "and for other purposes."

On motion of Mr. Ellett,

The bill was ordered to be engrossed, with the amendments, for a third reading to-morrow.

Mr. Ellett made the following report :

MR. PRESIDENT—

The committee on the Judiciary who were requested by a resolution of the Senate to investigate, and if deemed constitutional, to report a bill providing for the more rigid execution of our inspection laws, by imposing duties on the importation of all goods from ——— States,

Have had the same under consideration, and have instructed me to ask to be discharged from the further consideration of the subject.

Which was received and agreed to.

Mr. Ellett, from the committee on the Judiciary, made the following report :

Which was received and agreed to.

MR. PRESIDENT—

The committee on the Judiciary to whom was referred,

A bill entitled,

An act to amend article 253 of the Revised code, page 614, in:

relation to getting witnesses before the grand juries, and for other purposes,

Have had the same under consideration, and have instructed me to report the same back, with an amendment, as follows, and to recommend the passage of the bill as amended.

Amend by striking out the second, third and fourth sections.

Substitute for title the following :

An act to compel the attendance of witnesses before the grand jury.

Mr. Ellett moved,

To take up the bill referred to in his report

The amendments were adopted,

And on motion of Mr. Ellett,

The bill was ordered to be engrossed, and made the order for a third reading to-morrow.

Mr. Ellett made the following report :

MR. PRESIDENT—

The committee on the Judiciary to whom was referred,

Sundry petitions, praying for the passage of an act to prohibit the sale of intoxicating liquors in any quantity, in the town of Orizaba, Tippah county, or within one mile thereof.

Have had the same under consideration and instructed me to report the same back, accompanied by a bill entitled,

An act to prohibit the sale of intoxicating liquors within the town of Orizaba, in Tippah county, or within one mile thereof, and to recommend the passage thereof.

Which was received and agreed to.

And the bill therein reported, entitled as above,

Was read the first time.

On motion of Mr. Ellett,

The rule was suspended, and the bill read the second time.

Mr. Buchanan offered the following amendment,

Which was adopted.

Amend 3d section by adding "that this shall take effect from and after the 1st day of March next.

The bill was ordered to be engrossed for a third reading to-morrow.

Mr. Ellett, from the committee on the Judiciary, made the following report :

Which was received and agreed to.

MR. PRESIDENT—

The committee on the Judiciary to whom was referred,

An act entitled,

An act to repeal a part of an act to regulate the action of ejectment, Revised Cod, page 387,

Have had the same under consideration, and have instructed me to report the same back, and to recommend it do not pass.

Mr. Ellett, from the committee on the Judiciary, made the following report:

MR. PRESIDENT—

The committee on the Judiciary, to whom was referred,

An act entitled,

An act to amend jury law in criminal cases,

Have had the same under consideration, and have instructed me to report the same back, and to recommend that the same do not pass.

On motion of Mr. Ellett,

The report was received and agreed to.

Mr. Ellett, Chairman of the Judiciary Committee, made the following report,

MR. PRESIDENT—

The committee on the Judiciary to whom was referred,

An act to be entitled,

An act to amend article 190, of chapter LXI,

Have had the same under consideration, and have instructed me to report the same back, and to recommend that the same do not pass.

Which was also received and agreed to.

Mr. Ellett made the following report, which,

On motion of Mr. Thomson,

Was received and agreed to.

MR. PRESIDENT—

The committee on the Judiciary to whom was referred,

A bill entitled,

An act to revive the forthcoming bond law and forfeiture as to judgments and executions by Justices of the Peace,

Have had the same under consideration, and have instructed me to report the same back and to recommend that the same do not pass.

Mr. Brasier called for a division as to agreeing to the above report.

The President announced that the report was agreed to.

Mr. Ellett, from the committee on the Judiciary, made the following report,

MR. PRESIDENT—

The committee on the Judiciary to whom was referred,

A Senate bill entitled,

An act exempt slaves from execution and sale in cases where the plaintiff in execution, or the party for whose use the money

may be sought to be collected, denies the right of property in slaves,
Have had the same under consideration, and instructed me to
report the same back, and to recommend that said bill do not pass.

Which report was received.

On motion of Mr. Enloe,

The bill and report was

Referred to a select committee of three.

The President appointed as said committee,

Messrs. Oliver, Thomson and Ellett.

Mr. Thomson moved,

To reconsider the adverse report of the Judiciary Committee in
relation to a bill to be entitled,

An act to revive the forthcoming bond law, &c.

Pending the consideration of said report, the following message
from the House was received :

MR. PRESIDENT—

The House of Representatives has passed bills of the following
titles, viz :

An act to change the time of holding the Circuit Courts in the
2d Judicial District, in the counties of Simpson, Copiah and Law-
rence.

An act to repeal the 7th section of an act to incorporate the
Yazoo and Mississippi Railroad Company.

An act for the relief of William Webster, a free man of color.

An act to incorporate the Warren Insurance Company.

An act for the relief of John J. McRae.

An act for the relief of J. D. S. Davenport, former assessor of
Jefferson county.

The House of Representatives has concurred in the Senate
amendment to the House joint resolution in relation to the elec-
tion of Librarian and Superintendent and Clerk of the Peniten-
tiary—striking out “Librarian,” and inserting “keeper of the
Capitol”—and striking out “Superintendent and Clerk of the
Penitentiary.

And further,

That the Hall of the House is now ready for the reception of
the Senate, in order to go into the election of Keeper of the Cap-
itol.

Mr. Starke moved,

To lay the bill and report under consideration upon the table for
the present, in order that the Senate might repair to the Hall of the
House of Representatives for the purpose of going into a joint con-
vention for the election of State Librarian and Keeper of the
Capitol,

The Senate accordingly proceeded to the Representative Hall.

The President announced the object of the joint convention to
be the election of a Keeper of the Capitol,

On motion of Mr. Surat, of the House,

The election was conducted by ballot.

Messrs. Thomas and Surat, of the House, acted as tellers.

Mr. Thomson, of the Senate,

Nominated John MacCabe, of Chickasaw county.

Mr. Mims, of the Senate,

Nominated F. W. Johns, of Hinds.

Mr. Gasque, of the House,

Nominated Thos. J. Hardy, of Smith county.

Mr. Love, of the House,

Nominated D. C. Durham, of Kemper county,

Mr. Boone, of the House,

J. J. Denson, of Scott county.

The first ballot resulted as follows :

John MacCabe received.....	43	votes.
F. W. Johns "	37	"
D. C. Durham "	17	"
Thos. J. Hardy "	15	"
J. J. Denson, "	5	"

Whole number of votes cast.....117 "

Necessary to a choice..... 59 "

The name of Thos. J. Hardy was withdrawn.

SECOND BALLOT.

MacCabe received.....	49	votes.
Johns "	60	"
Durham "	9	"
Denson "	1	"

Whole number of votes cast.....119 "

Necessary to a choice..... 60 "

Mr. Johns having received a majority of all the votes cast was declared duly and Constitutionally elected Keeper of the Capitol for the term prescribed by law.

The object of the joint assemblage of the two Houses having been accomplished, the Senate, with the President and Secretary, withdrew to their Chamber.

The President called the Senate to order;

And on motion,

The consideration of the bill and report laid on the table was resumed.

The yeas and nays were called for by three Senators on the question of agreeing to the report, and the following was the result :

YEAS—Mr. President, Messrs. Buchanan, Brasier, Covington, Chrisman, Ellett, Enloe, Gordon, Harris, Huie, McLain, Mims, Mason, McCord, McRae, Neill, Oliver, Quin, Rankin and Thames.—19.

NAYS—Messrs. Brasier, Catchings, Davis, Harrison, Starke, Simonton, Thomson, Talliaferro and Wilson.—9.

The report was received and agreed to.

Mr. Ellett, Chairman of the Judiciary Committee, made the following report,

Which was received and agreed to :

MR. PRESIDENT—

The committee on the Judiciary to whom was referred,

A bill entitled,

An act for the relief of John R. Watts, Tax Assessor of the county of Lauderdale,

Have had the same under consideration, and have instructed me to report :

That the committee are not aware of the existence of any law which authorized the Board of Police of Lauderdale county to allow compensation to the tax assessor, for making the tax assessment, payable out of the county treasury. If, however, there was such a law, the right of the assessor to such compensation was taken away by the revenue act in the Revised Code, which act went into effect on the 2d of February, 1857, before the assessment of that year could have been made. Under that act the assessor was paid out of the State Treasury for assessing the State taxes. He did not, and could not, assess the county taxes, for he was obliged to make his assessment by the first Monday of September, and to file the roll with the Clerk of the Board of Police by the first Monday of October, while the Board of Police cannot meet to fix the rate of county taxes until the second Monday of October. They then fix the rate per cent. of the State tax to be collected for county purposes, and it is the duty of the collector to ascertain the amount, and to collect it with the State taxes. It seems clear, therefore, that the allowance made to Mr. Watts was unlawful, and that the Treasurer rightfully refused payment of it.

If, however, the committee are mistaken in this, and if the allowance was legal, the party has a plain remedy by mandamus or action in the Circuit Court.

The committee, therefore, recommend that the bill do not pass.

Mr. Ellett made the following report :

MR. PRESIDENT—

The committee on the Judiciary to whom was referred,

A bill entitled,

An act to amend article 8, section 1, of chapter 15, of the

Revised Code, so far as relates to the counties of Lauderdale and Newton,

Have had the same under consideration, and have instructed me to report the same back and recommend that said bill do not pass.

Mr. Ellett moved,

That the report be received and agreed to.

A division was called for, and the report was not agreed to.

On motion of Mr. Simonton,

The bill and report were referred to a select committee of three.

The President appointed as said committee,

Messrs. Simonton, Thames and Buchanan.

Mr. Ellett made the following report,

Which was received and agreed to :

MR. PRESIDENT—

The committee on the Judiciary to whom was referred,

The petition of James H. R. Taylor and others, praying for the passage of an act to remove the civil disabilities of Robert G. Purnell, a minor of the age of nineteen years,

Have had the same under consideration, and have instructed me to report the same back and to recommend that the prayer of the petition be not granted.

Mr. Chrisman, Chairman of the committee on Engrossed bills, made the following report,

Which was received and agreed to :

MR. PRESIDENT—

The committee on Engrossed Bills have examined,

The bill to be entitled,

An act to incorporate the Holly Springs Life and General Insurance Company,

And have found the same correctly engrossed.

On motion of Mr. Ellett,

The Senate resolved itself in Executive Session for the purpose of making a report in relation to a message transmitted to the Senate by the Governor.

Mr. Ellett, from a select committee, made the following report, which was received and agreed to, and the resolution therein reported adopted:

MR. PRESIDENT—

The select committee to whom was referred, in Executive Session, the message of the Governor, dated Nov. 10, 1859, transmitting to the Senate petitions for the remission of forfeitures in the following named cases, to-wit :

The State vs. D. N. Bell & J. M. Kyle.

The State vs. E. E. Holland & George Lovett.

The State vs. H. Huddleston.

The State vs. Williamson Ragland; and

The State vs. George H. Lipscomb & Thos. J. Sharpe.

And asking the advice of the Senate as to the propriety of granting the prayer of the petitioners, and, in the event of the advice of the Senate being favorable, their consent that he grant the same,

Have had the same under consideration, and have instructed me to report :

That his Excellency the Governor, has not, as has been usually done, indicated any opinion as to the propriety of granting the prayer of the petitioners in any of these cases, but has referred them all to the Senate, with the view that this body shall take them up on their respective merits, as original questions, examine into them, and give him their advice as to the decision he should come to in each case.

The committee do not question the right of the Governor, when he entertains serious doubts as to the course he ought to adopt in such cases, to ask the advice of the Senate in advance of any recommendation or action on his part, and, although, it would always be gratifying to the Senate to be informed of the views which the Governor may take of any case submitted by him for the action of the Senate, and to be apprised of the grounds upon which he withholds any opinion or recommendation on the subject, yet the committee have not hesitated to take up each of these cases, and to investigate the merits thereof, as far as the evidence before them has enabled them to do so. They have endeavored to be governed in their action by the general principle, which they believe to be correct, that, to justify the exercise of executive clemency there should exist in the given case strong circumstances of extenuation or excuse, falling short, however, of what would amount to a legal defence or justification. For the latter the ordinary forms of law afford an adequate remedy, and if a party has neglected to avail himself of that remedy, he cannot found upon his own neglect a claim to the favorable consideration of the Executive. In the light of this principle, and impressed with the conviction that the discretion of the Senate ought not be capriciously exercised in the discharge of its important function of mitigating in proper cases the rigor of the criminal law, a short statement of the cases under consideration will be presented.

1. The first case mentioned in the message is that on behalf of D. N. Bell and J. M. Kyle.

No petition from these parties appears to have been offered, nor is any testimony of any kind presented, except an unsworn petition, signed by sixty-four citizens of Panola county. This petition states that the said Bell and Kyle became sureties in the sum of \$125 for the appearance of one Mich. Bell to answer an indictment for slander—that their principal failed to appear—that

the recognizance was forfeited at the November Term, 1853 — and in due course of law a final judgment was rendered thereon, at May Term, 1859.

It is then stated that the sureties had the said Bell before the Court at November Term, 1858, on the day before the case came on for trial, and that being ignorant of the law applicable to such cases, and being erroneously advised, they let the said Mich. Bell free so soon as they got him in the presence of the Court, not knowing that they were compelled to have his body in Court on the day the case came on for trial.

It is further stated that the sureties could not have the said Mich. Bell before the Court at May Term, 1859, because the Court was held on the 15th of May, and the said Bell had been killed in Tippah county on the 9th of that month. That the sureties are worthy and respectable men, very poor, and having large families to support.

Such is the case made by the petition. The sureties went with their principal to the Court, and as soon as they got in its presence, instead of delivering him into custody, they set him free, and although they must have discovered their mistake on the following day it is not pretended that they made any effort afterwards to arrest him or bring him to trial. It is not even suggested that the accused fled or concealed himself, so that he could not have been arrested by his bail, and delivered into custody, but the contrary rather appears, inasmuch as it is stated that the accused was killed in Tippah county in May following.

The signers of the petition certify that the bail were ignorant of the law in regard to their duties, a fact of which they cannot possibly have any knowledge—and it is remarkable that the parties themselves, do not make any such allegation, no affidavit or any statement of any kind from them being found in the papers. The committee think it very unlikely that the bail could have believed that they could discharge themselves from their obligation as sureties for the appearance of their principal from day to day, and term to term, until discharged by due course of law, by going with him to the court house and there setting him free. The whole case on the contrary is rather calculated to excite the suspicion of collusion between the bail and their principal to enable him to evade the law.

That these parties are worthy and respectable, poor, and having families dependant upon them for support, are not considerations which, in the absence of any mitigating circumstances, ought to influence the Executive action; and in view of the whole case, the committee cannot recommend the Senate to advise the Governor to remit the forfeiture in this case.

2. The second case submitted in the message of the Governor, is that of E. E. Holland and George Lovett.

These parties became sureties in the Circuit Court of Panola

county for the appearance of A. W. McDonald, at May Term, 1858, to answer an indictment for larceny. The petition states that McDonald failed to appear, and that a forfeiture was taken against his bail, and *scire facias* awarded to November Term, 1858;—that the *scire facias* was continued until May Term, 1859, when the judgment was made final. It is stated that Lovett is entirely worthless, and that Holland will have the whole amount to pay, unless released, and that Holland is a worthy, hard working man, very poor, and having a family dependant upon him for support—that he will be broken up if compelled to pay this money, and his family be in want of the necessaries of life. It is also stated that at the May Term, 1859, McDonald was beyond the limits of the State, and the sureties did not know where he then was. It is also stated that Holland was unduly persuaded by ingenious and wily counsel for McDonald to enter into the recognizance, and was duped and imposed upon by him.

The petition is not signed by either Lovett or Holland, nor is there any application from them, or any statement of facts by either of them, under oath or otherwise; but the petition is signed by a number of citizens of the county, who, from the nature of many of the important facts, cannot be supposed to have any personal knowledge of them.

The principal fact relied on for relief involves a serious charge of fraud against the counsel for the accused, which ought not to be adjudged true, without strong proof in support of it. To remit the forfeiture in this case would be to convict the counsel, whose name is not mentioned, and that in the absence of any evidence of his guilt.

Besides it is not shown that for a whole year after the forfeiture was taken, and before the judgment was made final, there was any reason why the accused was not arrested and delivered into custody.

The committee, therefore, cannot recommend the Senate to advise the Governor to remit the forfeiture in this case.

3. The third case presented, is that of H. Huddleston.

He became surety for the appearance of an old woman named Hickman, who was indicted for a nuisance. The object of the prosecution seems to have been rather to drive her away, and break up her house, than to imprison her person. The surety was absent when the forfeiture was taken, and at the next term, when the judgment was made final, and when his excuse ought to have been made, he was compelled by attachments to attend a distant court as a witness. The object of the prosecution was accomplished by driving away the accused, and had he been present, it is hardly probable that a final judgment would have been taken. The District Attorney specially recommended the remission of the forfeiture, and much weight is due to his opinion.

Under these circumstances, the committee recommend that the

Senate advise the Governor to remit the forfeiture in this case.

4. The fourth case presented, is that of Williamson Ragland, of Monroe county.

This party was indicted for gaming—gave a recognizance for his appearance, and forfeited it wilfully for aught that appears, for no excuse whatever is attempted to be shown. He was subsequently brought to trial—by what means is not shown—was found guilty, and fined—prosecuted a writ of error to High Court, where the judgment was affirmed, and he now asks to be relieved of the forfeiture.

The petition, which is signed by a considerable number of the citizen of Monroe county, puts the application entirely upon the ground of the poverty of the party, but a letter addressed to the Governor and accompanying the petition, signed by D. W. Sadler as attorney for Ragland, places the case upon a different footing, and abounds with grossly disrespectful, and the committee doubt not, unfounded charges against the distinguished Circuit Judge before whom the case was tried, and the High Court by which the judgment was affirmed. This document alleges that on the return of the *sire facias* "the court would listen to no excuse, but arbitrarily made the judgment final without reason or justice." The testimony given on the trial is pronounced "uncertain, evasive and flimsy"—and it is charged that the testimony as embodied in the record "is stronger than it was before the jury—for such was the bias of the presiding judge towards the State that I (meaning Mr. Sadler) could not get the Court to pass the bill of exceptions containing the testimony as it was adduced on the trial, and that after conviction the Court imposed the highest penalty the law would allow, thereby evidently showing his prejudice."

Grave complaint is made against the High Court, for, as is alleged, "refusing to look into the testimony to see whether it be sufficient to convict or not"—and it is confidently asserted that "no man can take the testimony, and say that Ragland has offended against the law."

These charges rest upon the unsupported and unsworn statement of Mr. Sadler, and they are presented as the reasons why the Governor and Senate should interpose to save this pretended victim of judicial oppression. If they are true, he is entitled to relief, no matter who might suffer by our action. But it is the duty of every department of this Government to watch and guard the honor and purity of every other department, and to defend them against unfounded assaults, as it would guard and defend its own honor and dignity. Charges affecting one of them, when unsustained by proof, should be promptly and indignantly repelled, and when offered as the grounds of the action of another department, should be treated as unfounded aspersions upon the the conduct and character of men whose lives have been above reproach.

The committee have examined the record accompanying the

petition, and are satisfied that the guilt of the accused was sufficiently established, and they find nothing in it giving any countenance to the grave accusations to which they have called the attention of the Senate.

The committee therefore recommend that the Senate do not advise the remission of the forfeiture in this case.

5. The fifth and last case presented, is that of George H. Lipscomb and Thomas J. Sharpe.

These parties became sureties for the appearance of Jesse Arnold, to answer an indictment for larceny. It appears that the defendant afterwards removed from the State, but not on account of the pendency of this indictment, and in consequence of his removal, a forfeiture was taken against the sureties. It is clearly shown by the affidavits of the witnesses on whose testimony this indictment was found, that the charge was frivolous and groundless. As the trial must have resulted in an acquittal—the committee think the forfeiture in this case ought to be remitted.

The committee therefore report the following resolutions, and recommend their adoption:

Resolved, That the Senate do not advise the remission of the forfeiture in the case of the State vs. D. N. Bell and J. M. Kile.

Resolved, That the Senate do not advise the remission of the forfeiture in the case of the State vs. E. E. Holland and George Lovett.

Resolved, That the Senate do advise the remission of the forfeiture in the case of the State vs. H. Huddleston.

Resolved, That the Senate do not advise the remission of the forfeiture in the case of the State vs. Williamson Ragland.

Resolved, That the Senate do advise and consent to the remission of the forfeiture in the case of the State vs. George H. Lipscomb and Thomas J. Sharpe.

On motion of Mr. Ellett,

The Executive Session was dissolved.

Mr. Quin, from a select committee, made the following report:

Which was received and agreed to.

MR. PRESIDENT—

The select committee to whom was referred,

A bill to be entitled,

An act for the relief of the estate of A. M. Stratton, deceased, of Rankin county,

Respectfully report that they have had the same under consideration, and have instructed me to return said bill, and recommend its passage.

On motion of Mr. Quin,

The bill entitled

An act for the relief of the estate of A. M. Stratton,
Was read the second time.

On motion of Mr. Quin,

The rule was suspended, the bill read the third time, and
passed,

Mr. Mason called up,

The bill to be entitled,

An act to incorporate the Holly Springs Life and General Insurance Company,

Which was read the third time.

Mr. Harrison offered an amendment thereto by way of rider,
as follows:

Provided said agencies shall be confined exclusively to the insurance business,

Which by unanimous consent of the Senate was accepted.

The yeas and nays were called for upon the passage of the bill
with the following result:

YEAS—Mr. President, Messrs. Brasier, Buchanan, Catchings,
Davis, Gordon, Harrison, Harris, Huie, McLain, Mason, McCord,
Starke, Simonton, Thames, Talliaferro and Wilson—17.

NAYS—Messrs. Covington, Chrisman, Ellett, Enloe, Neill,
Oliver and Thomson—7.

The bill was therefore passed, with the title as stated.

On motion of Mr. Simonton,

The Senate adjourned until to-morrow morning at 9 o'clock.

FRIDAY, Dec. 2, 1859.

The Senate met pursuant to adjournment.

The Journal of yesterday was read and corrected.

The following message was received from the House of Representatives, through their Clerk, Mr. Brougher,

MR. PRESIDENT:—

I am instructed by the House of Representatives to return to the Senate,

The bill entitled,

An act to increase the salaries of certain officers therein named.

The House of Representatives has passed,

The Senate bill entitled,

An act to change the time of holding the Probate Court of Newton county,

Mr. Drane presented a letter from R. C. Love, which was

Referred to the committee on Propositions and Grievances.

Without reading.

Mr. Davis presented the claim W. R. Stewart, which was

Referred to the committee on Claims.

Without reading.

Mr. Starke introduced,

The following resolution :

Which was read and adopted.

Resolved, That the Judiciary Committee be instructed to enquire into the expediency of reporting a bill to prevent the introduction of slaves into this State for sale, hire or merchandize, under such restrictions as public policy may require.

Mr. Starke, asked and obtained leave to introduced,

A bill entitled,

An act to authorize the closing of Atchafalaya Bayou, in the county of Yazoo.

Which was read the first time.

On motion of Mr. Starke,

The rule was suspended, the bill read the second and third times, and passed.

Mr. Davis, Chairman of the Committee on Enrolled Bills, made the following report :

MR. PRESIDENT—

The committee on Enrolled Bills have examined the following bill :

A bill to be entitled,

An act for the relief of J. H. Anderson, Tax Collector of Monroe county.

A bill to extend the time of holding the Probate Court of Lafayette county.

An act for the relief of Nathan Spears,

A bill to be entitled,

An act to authorize the Boards of Police of Madison county to invest the three per cent. fund of said county in the bonds of certain railroads.

An act entitled,

An act to incorporate the Ripley Railroad Company, and for other purposes,

And have found the same correctly enrolled,

Mr. Ellett, from the committee on the Judiciary, made the following report,

MR. PRESIDENT—

The committee on the Judiciary to whom was referred, Senate bill No. 4, together with a proposed amendment, Have had said bill under consideration, and have instructed me to report the same back to the Senate, with an amendment to the second section, and recommend that it do pass.

On motion of Mr. Ellett,

The report

Was received and agreed to.

And on motion of Mr. Ellett,

The Senate proceeded to consider the bill, to-wit :

A bill to be entitled,

An act in relation to warrantees on the sale of slaves.

On motion of Mr. Gordon,

The bill and amendments thereto, were re-committed to the Judiciary Committee.

Mr. Covington asked and obtained leave of absence for the Senator from Hinds, for a few days.

Mr. Chrisman, from the committee on Engrossed Bills, made the following report :

MR. PRESIDENT—

The committee on Engrossed Bills have examined bills of the following titles :

An act to compel the attendance of witnesses before the grand jury.

An act to prohibit the sale of intoxicating liquors within the town of Orizaba, in Tippah county, or within one mile thereof.

A bill to be entitled,

An act to amend article two hundred and twenty-six, of section forty-eight, of chapter sixty-four, of the Revised Code,

And have found the same to be correctly engrossed.

Mr. Neill, from the joint standing committee on State and Federal Relations, made the following report,

Which was received and agreed to.

MR. PRESIDENT—

The joint standing committee on State and Federal Relations, have instructed me to report to the Senate the accompanying series of resolutions and recommend that they do pass.

The resolutions reported by the joint committee,

Were read,

Two hundred copies ordered to be printed for the use of the

Legislature, and made the special order for Tuesday next at 11 o'clock.

Mr. Covington, from a select committee, made the following report :

Which was received and agreed to.

MR. PRESIDENT—

The select committee to whom was referred,

A bill entitled,

An act to authorize the Board of Police of Choctaw county to hold an election in certain townships in said county, for the purposes expressed in this act,

Have had the same under their consideration, and have instructed me to report said bill with sundry amendments, and recommend that said bill, together with the amendments do pass.

On motion of Mr. Covington,

The bill was read,

The amendments therein reported,

Were adopted.

And the bill ordered to be engrossed for a third reading to-morrow.

Mr. Brasier, from a select committee, made the following report :

MR. PRESIDENT:—

The select committee to whom was referred.

A bill to be entitled,

An act to regulate the sale of vinous and spiritous liquors in Centre beat, Yallobusha county,

Have had the same under consideration, and have instructed me to report the same back, with an amendment to the first section, and recommend its passage.

On motion of Mr. Brasier;

The Senate proceeded to the consideration of the bill.

The amendments reported by the committee, were adopted, the bill ordered to be engrossed, and made the special order for a third reading to-morrow.

Mr. Simonton, from a select committee, made the following report :

MR. PRESIDENT—

The select committee to whom was referred,

A bill entitled,

An act to amend article eight, chapter fifteen section one, of the Revised Code, so far as relates to the counties of Lauderdale and Newton,

Have had the same under consideration, and have instructed me to report the enclosed bill as a substitute, and recommend its passage.

On motion of Mr. Simonton,
The report was received and agreed to.

The substitute bill
Was read,

Mr. Harris offered the following amendment,

Strike out the word "twelve," and insert "ten," in first section.

Which was adopted.

The bill as amended,

Was read the third time,

And passed,

The title thereof standing as stated.

Mr. Ellet, from a select committee made the following report,
Which was received and agreed to.

And the resolutions therein reported adopted.

MR. PRESIDENT—

The joint standing committee on Printing to whom was referred,
a motion to print the report of the Trustees of the State University

Have had the same under consideration, and have instructed
me to report the following joint resolution, and to recommend
its adoption.

Resolved, By the Legislature of the State of Mississippi, That
one thousand copies of the report of the Trustees of the State
University, with documents A. B. and C., (except the star
maps accompanying document C.) be printed for the use of the
Legislature.

Mr. Chrisman offered the following resolution.

Resolved, By the Senate, (the Senate concurring) That no bill,
local in its operation, shall be introduced into either House after
Monday next, except such as may necessarily be required by special
petition.

Mr. Chrisman moved,

To suspend the rule that the bill might be read a second time.

A division was called for upon the question of the suspension of
the rules, when the Senate refused to suspend.

The resolution was therefore laid over for a second reading
to-morrow.

Mr. Thomson, asked and obtained leave, to introduce,

A bill entitled,

An act to incorporate the Grenada, Houston and Eastern Rail-
road Company,

Which was read the first time.

On motion of Mr. Thomson,

The rule was suspended, the bill read the second time, and
referred to a select committee of three.

The President appointed as said committee,

Messrs. Thomson, Brasier, and Harrison.

Mr. Oliver called from the table,

A bill to be entitled,

An act to prohibit the circulation of bank notes or bills under the denomination of twenty dollars after the times therein mentioned.

And moved that said bill be made a special order for 11 o'clock Tuesday next.

Which motion was adopted.

The orders of the day were taken up.

A bill entitled,

An act to repeal a portion of an act entitled an act to establish Circuit Courts, to define their jurisdiction and to regulate the practice therein,

Was read.

Mr. Ellett moved,

To postpone the bill indefinitely.

The following message was received from the Governor, through his Private Secretary.

EXECUTIVE OFFICE,

City of Jackson, Miss., Dec. 2, 1859. }

To the Senate :

GENTLEMEN—I ask your advice and consent to the remission of three forfeitures of the sum of \$425 against L. O. Caruthers, of Marshall county, Mississippi, the final judgments on which forfeitures were made at the Marshall Circuit Court on the 13th of October, 1856; and refer you to his petition, sustained by Judge P. T. Schruggs, for the facts in the case.

JOHN J. PETTUS.

Mr. Huie moved,

To postpone the further consideration of Mr. Ellett's motion for an indefinite postponement of the bill, till to-morrow.

Mr. Gordon moved,

To reconsider the bill entitled,

An act for the relief of J. R. Watts, late tax assessor of Lauderdale county.

Which motion was adopted.

On motion of Mr. Gordon,

The Senate adjourned till to-morrow morning 9 o'clock.

SATURDAY, Dec. 3, 1859.

The Senate met pursuant to adjournment.

The Journal of yesterday was read and approved.

Mr. McLain presented the petition of Wm. L. Price and others, of Clarke county, which was,

On motion of Mr. McLain,

Referred to a select committee of five.

The President appointed as said committee,

Messrs. McLain, Harris, Oliver, Gordon and Davis.

Mr. Thomson, from a select committee of three, made the following report,

Which was received and agreed to:

MR. PRESIDENT—

The select committee to whom was referred,

The bill chartering the Grenada, Houston and Eastern Railroad Company,

Have had the same under consideration, and have instructed me to report the same back with an amendment, and to recommend its passage:

Amend 8th line of 4th section, by striking out words or without, and in 9th line strike out, as may be deemed expedient, and insert of one dollar per share.

On motion of Mr. Thomson,

The Senate resumed the consideration of the bill.

On motion of Mr. Thomson,

The amendments were adopted,

The bill read the third time and passed as amended,

The title thereof standing stated.

Mr. Mims, from a select committee, made the following report:

MR. PRESIDENT—

The select committee to whom was referred,

An act to amend an act entitled,

An act for the relief of Henry L. Muldrow of Oktibbeha county, Thomas J. Walton of Warren county, and R. H. Purdom of Hinds county, approved Nov. 30, 1859,

Have had the same under consideration, and instructed me to report the same back, and to recommend its passage.

On motion of Mr. Mims,

The Senate proceeded to consider said bill.

The bill was read, and

Referred to the committee on the Judiciary.

The following message was received from the House of Representatives, through their Clerk, Mr. Brougher,

MR. PRESIDENT—

The House of Representatives have disagreed to the first, and concurred in the second and third amendments made by the Senate to the House bill,

To be entitled,

An act to amend an act to secure the interest on the school fund belonging to the Chickasaw cession and for other purposes, so far as the same relates to the counties of Tishomingo and Tip-pah, Panola and Lafayette.

The House has concurred in the amendments made by the Senate to the following House bills :

A bill to be entitled,

An act to repeal the common school law of Copiah county, approved December 3d, 1858, and for other purposes.

A bill to be entitled,

An act to extend the provisions of an act entitled an act for the relief of Asoph P. Robertson, Timothy Rogers, Daniel J. Duck-worth and Norville Rogers, approved Nov. 22d, 1858.

The House has concurred in the first, and disagreed to the second amendments made by the Senate to the

House bill entitled;

An act to repeal an act to prohibit the sale of vinous and spiritous liquors in the town of Grenada, Yallobusha county, and for other purposes, Approved March 2, 1854:

And have also disagreed to the amendment made by the Senate to the

House bill entitled,

An act to repeal in part article 4, chapter 9, of the Revised Code.

The House has passed Senate bills with the following titles :

A bill to be entitled,

An act to incorporate the Monticello Railroad Company.

A bill to be entitled,

An act for the relief of the estate of A. M. Stratton, deceased.

A bill to be entitled,

An act for the substitution of papers lost or destroyed in the Circuit Court of Tallahatchie county.

A bill to be entitled,

An act for the relief of J. M. Bradley of Perry county.

The House of Representatives has passed bills of the following titles :

A bill to be entitled,

An act to amend an act entitled an act further to amend an act entitled an act to incorporate the Mississippi and Tennessee Railroad Company, approved March 8th, 1856.

A bill to be entitled,

An act for the better government of Railroad Companies,

In which the concurrence of the Senate is desired.

The House has adopted the following resolution :

Resolved, [the Senate concurring,] That a committee of three on the part of the House and ——— on the part of the Senate, be appointed to examine the Governor's Mansion to see what is needed to prepare it for occupation, and also to confer with Gov. Pettus to ascertain if it is his intention to occupy the same,

And have appointed as the committee on the part of the House,
Messrs. Smylie, Sanders and Hall of Leake.

In which the concurrence of the Senate is desired.

Mr. Catchings introduced,

A bill entitled,

An act for the relief of the estate of Lott W. Ellis, deceased.

Which was read,

On motion of Mr. Catchings,

The rule was suspended, the bill read the second and third times by title, and passed,

The title thereof standing as stated.

The following message was received from his Excellency the Governor, through his Private Secretary, Mr. Campbell :

EXECUTIVE OFFICE, }
City of Jackson, Dec. 2, 1859. }

MR. PRESIDENT—

I am instructed by the Governor to deliver the following message with accompanying documents :

The following message was also received from the Governor, through his Private Secretary :

EXECUTIVE OFFICE, }
City of Jackson, Dec. 2, 1859. }

MR. PRESIDENT :—

The Governor did on the 2d inst., signed and approved Senate bills entitled,

A bill to be entitled,

An act for the relief of J. H. Anderson, Tax Collector of Monroe county.

An act to amend an act entitled,

An act to incorporate the Ripley Railroad Company, and for other purposes.

An act for the relief of Nathan Spears.

A bill to extend the time of holding the Probate Court of Lafayette county.

A bill to be entitled,

An act to authorize the Board of Police of Madison county to invest the three per cent. fund of said county in the bonds of certain Railroads.

Mr. Starke gave notice that on to-morrow or some future day, he will introduce,

A bill to repeal all duelling laws on the statute books of the State Mississippi.

Mr. Buck appeared in his seat this morning.

Mr. Mims appeared in his seat.

Mr. Ellett asked and obtained leave to introduce,

A bill to be entitled,

An act to amend the sixty-third chapter of the Revised Code, entitled an act to organize and define the power of the High Court of Errors and Appeals,

Which was read.

On motion of Mr. Ellett,

The rule was suspended, the bill read the second time and referred to the committee on the Judiciary.

Mr. Ellett asked and obtained leave to introduce,

A bill to be entitled,

An act to amend the 64th chapter of the Revised Code, entitled an act to provide for the punishment of crimes and misdemeanors,

Which was read,

On motion of Mr. Ellett,

The rule was suspended, the bill read the second time by and referred to the committee on the Judiciary.

Mr. Buck presented the petition of John Porterfield and others, citizens of the city of Vicksburg, praying the passage of a bill incorporating a fire company of that city.

Mr. Buck asked leave to introduce,

A bill entitled,

An act to incorporate Independent Fire Engine Company, No. 1, of the city of Vicksburg,

Which was read.

On motion of Mr. Buck,

The rule was suspended and the bill read the second time and referred to the committee on the Judiciary.

Mr. McCord introduced,

A bill to be entitled,

An act to repeal, in part, article 280, chapter 61, of the Revised Code,

Which was read, and

Under a suspension of the rule,

Was read the second time, and

Referred to the committee on the Judiciary.

Mr. Rankin, from a select committee, made the following report:

MR. PRESIDENT :—

The select committee to whom was referred,

The bill entitled,

An act to prohibit the sale and gratuitous distribution of spiritous liquors in the town of Mt. Carmel, and within certain limits there from,

Have had the same under consideration and have instructed me to report the following bill as a substitute and recommend its passage.

Mr. Mason introduced the following resolution :

Resolved, That the Judiciary Committee be instructed to report a bill regulating the management of the Penitentiary, so as to separate and define the duties of Superintendent and Book-Keeper, or Clerk, and that such provision be made as will allow or require the Superintendent to devote the most of his time within the walls, and separating as much as practicable, the financial from the Executive department of the Institution.

On motion of Mr. Gordon,

The resolution was referred to the committee on the Penitentiary instead of the Judiciary committee, as directed.

Mr. Oliver called for the Executive message.

On motion of Mr. Thomson,

The Senate resolved itself into Executive Session.

EXECUTIVE SESSION, Dec. 3, 1859.

On motion of Mr. Thomson,

The Senate resolved itself into Executive Session, for the purpose of taking into consideration a message received from the Governor yesterday.

The following message from the Governor was read :

EXECUTIVE OFFICE, }
City of Jackson, Miss., Dec. 2, 1859. }

To the Senate :

GENTLEMEN:—I ask your advice and consent to the remission of three forfeitures, of the sum of \$425, against L. O. Caruthers, of Marshall county, Mississippi, the final judgments on which forfeitures were made at the Marshall Circuit Court, on the 13th October, 1856, and refer you to his petition, sustained by Judge P. T. Scruggs, for the facts in the case. JOHN J. PETTUS.

On motion,

The Senate advised and consented to the remission of the forfeitures indicated in the above communication from the Governor.

On motion of Mr. Starke,

The Executive Session was dissolved.

S—13

Mr. Thames called up bill entitled,
An act for the relief J. R. Watts, late 'Tax Assessor' of Lauderdale county.

Which was read.

The report of the Judiciary committee upon said bill was adopted.

The bill was therefore rejected.

Mr. Talliaferro, by leave, introduced,

A bill to be entitled,

An act to be entitled an act for the relief of Mrs. James K. Polk,

Which was read.

On motion of Mr. Talliaferro,

The rule was suspended, the bill read the second time by its title, and referred to the committee on the Judiciary.

Mr. Davis introduced,

A bill to be entitled,

An act to amend an act entitled an act to regulate the remedy by attachment against debtors,

Which was read,

On motion of Mr. Davis,

The rule was suspended, the bill read the second time and

Referred to the committee on the Judiciary,

Mr. Starke called up House message :

A bill to be entitled,

An act to authorize the Board of Police of Attala county to appropriate certain funds to the construction of a Court-House in said county.

Was read.

The rule was suspended, the bill read a second time and referred to a select committee of three.

The President appointed as said committee,

Messrs. Huie, McLain and Neill.

A bill to be entitled,

An act to amend the revenue laws of this State,

Was read.

The rule was suspended, the bill read the second time, and

Referred to the committee of Finance.

A bill to be entitled,

An act to amend an act to incorporate the town of Woodville,
Was read.

On motion of Mr. Gordon,

The rule was suspended, the bill read the first and second times and passed,

The title thereof standing as stated.

Mr. Starke moved,

To add Mr. Enloe to the committee to whom was referred the bill making provisions to prevent persons who didn't believe in

the right of property in slaves, from collecting money arising from the sale of slaves.

The special order of the day was taken up.

The question upon the indefinite postponement of

The bill entitled,

An act to repeal a portion of an act entitled,

An act to establish Circuit Courts, to define their jurisdiction, and to regulate the practice therein,

Was put, and upon a call of the yeas and nays, the following was the result :

YEAS—Mr. President, Messrs. Brasier, Buchanan, Catchings, Davis, Ellett, Gordon, Harrison, Harris, Mims, Mason, McRae, Neill, Oliver, Quin, Rankin, Starke, and Taliaferro.—18.

NAYS—Messrs. Covington, Enloe, Huie, McLain, McCord, Simonton, Thomson, Thames and Wilson.—9.

Mr. Starke moved,

To take up House message.

A bill to be entitled,

An act the more particularly to describe a portion of the boundary line of Scott county.

Was read.

On motion of Mr. Davis.

The rule was suspended, the bill read the second and third times and passed,

The title thereof standing as stated.

A bill to be entitled,

An act to confirm and amend the charter of incorporation of the town of Rodney, in the State of Mississippi,

Was read the first time,

And under a suspension of the rule was read a second and third times and passed,

The title thereof standing as stated.

A bill to be entitled,

An act to amend the swamp land law of Franklin and Amite counties,

Was read.

The rule was suspended, and the bill was read the second time.

Mr. Ellett offered an amendment to the bill.

On motion of Mr. Gordon,

The bill and amendment were referred to a select committee of three.

The President appointed as said committee,

Messrs. Gordon, Huie and Ellett.

Mr. Davis offered the following resolution :

Resolved, That the Committee on the Militia be instructed to report a bill for the preservation and safe keeping of the public arms.

Which was read and adopted.

On motion of Mr. Wilson,

That the Senate adjourn until Monday morning 9 o'clock.

MONDAY, Dec. 5, 1859.

The Senate met pursuant to adjournment.

The Journal of Saturday was read.

The following message was received from the House of Representatives, through their Clerk, Mr. Brougher, viz.

MR. PRESIDENT—

The House of Representatives has passed,

Bills of the following titles, to-wit:

An act further to regulate the qualification of Trustees of schools and school lands in the county of Carroll.

A bill for the relief of Thomas Crenshaw, a free man of color, of Copiah county.

An act to amend the acts in relation to schools and school lands in Bolivar county.

An act for the relief of Murdoch McInnis.

An act to authorize C. L. Quave to establish a steam ferry across the back bay of Biloxi, in Harrison county.

An act to authorize the Board of Police of Itawamba county to sell the Poor House lands and other property.

A bill to repeal section 3d of an act entitled an act in relation to the pay of the Clerk of the Board of Police, of the county of Issaquena, for extra official services, and for other purposes.

An act authorizing the construction of a dam across Little Sunflower river, at the mouth of Rolling Fork.

An act for the benefit of the Hon. John E. McNair, Judge of the 2d Judicial District of the State of Mississippi.

An act supplemental to an act explanatory of any act passed at the present term of the Legislature of the State of Mississippi, entitled an act for the relief of James H. Nichols, of Hinds county.

An act to change the time of holding the Probate Court of the county of Carroll.

An act to legalize the proceedings of the Probate Court of Lauderdale county.

An act increasing the salary of the Probate Judge of Marion county.

A bill further to provide for the entry of the county submerged land.

An act granting leave of absence to G. S. McMillan, District Attorney of the 2d Judicial District.

An act more particularly defining the duties of the Swamp Land Commissioners of Newton county.

An act in relation to retailing vinous or spirituous liquors in Township 3, Range 4 East, in the county of Rankin.

An act in relation to the swamp lands in Smith county.

An act to increase the salary of the Probate Judge of Tippah county.

A bill to authorize the corporate authorities of Yazoo City to grant license for the sale of vinous and spirituous liquors.

A bill to authorize the Trustees of township 11, range 1 east, in Yazoo county, to distribute the school fund thereof.

An act to amend the laws in relation to common schools, so far as the same relates to Wilkinson county.

An act to amend the read laws of Washington county.

An act in relation to the County Surveyor of Warren county.

A bill for the relief of Constables in Tishomingo and Tippah counties.

An act to extend the corporate limits of the town of Rienzi, in the county of Tishomingo.

The House of Representatives has adopted the following resolution.

Resolved, (the Senate concurring,) that the Joint Standing Committee on Enrolled Bills be instructed to insert in Sec. 3 of the bill entitled "an act concerning public roads in the county of Coahoma," after the word "township," in line 11, the words "or fractional townships, or portion of township as aforesaid."

Mr. McLain introduced,

The petition of Sam. C. Gill and others, citizens of Enterprise, in relation to the tax levied upon auctioneers,

Which was read, and

Referred to the Committee on Finance.

Mr. Thomson introduced,

The counter petitions of the citizens of Buena Vista, praying the Legislature to pass and not to pass a law prohibiting the sale of ardent liquors within two miles of said town, both of which were referred to a select committee of three.

The President appointed as said committee,

Messrs. Thomson, Enloe and McCord.

Mr. Ellett, Chairman of the Judiciary Committee, made the following report,

Which was received and agreed to.

MR. PRESIDENT—

The committee on the Judiciary to whom was referred,
A Senate bill to be entitled,

An act to amend the sixty-third chapter of the Revised Code
entitled an act to organize and define the powers of the High-
Court of Errors and Appeals,

Have had the same under consideration and instructed me to
report the same back, and to recommend its passage.

On motion of Mr. Ellett,

The Senate proceeded to the consideration of said bill.

The rule was suspended, and the bill read the third time and
passed,

Ordered, that the title thereof stand as stated.

Mr. Ellett, from the committee on the Judiciary, made the fol-
lowing report :

MR. PRESIDENT—

The committee on the Judiciary to whom was referred,

A Senate bill entitled,

An act to repeal in part article 280, chapter 61, of the Revised
Code,

Have had the same under consideration, and have instructed
me to report the same back and to recommend that the same do
not pass.

Which report was received and agreed to.

Mr. Ellett made the following report:

Which was received and agreed to:

MR. PRESIDENT—

The committee on the Judiciary to whom was referred,

An act to amend the sixty-fourth chapter of the Revised Code
entitled an act to provide for the punishment of crimes and misde-
meanors,

Have had the same under consideration, and have instructed
me to report the same back, and to recommend its passage.

On motion of Mr. Ellett,

The Senate proceeded to the consideration of said bill forthwith,
and

The rule was suspended the bill read a third time by its
title, and passed.

Ordered, That the title thereof stand as stated.

Mr. Ellett made the following report:

MR. PRESIDENT—

The committee on the Judiciary to whom was referred,

An act in relation to warrants on the sale of slaves,

With an amendment heretofore reported by this committee,

Have had the same under consideration, and after re-examina-

tion, have instructed me to report the same back, and to recommend the adoption of the said amendment, and the passage of the bill as amended.

Which was received and agreed to.

On motion of Mr. Ellett,

The Senate proceeded to the consideration of the bill.

The bill with the amendment,

Was read,

Mr. Simonton offered the following amendments :

After "shall," insert "immediaetly, and after vice offer to return in person, by agent or letter, and the vendor shall refuse to take back the said slave and the purchaser in meantime brings suit, and the slave die in the time, then he may recover of the seller, the price paid,

Which were rejected.

The following message was received from the House, through their Clerk, Mr. Braugher,

MR. PRESIDENT—

The House of Representatives has passed,

A Senate bill entitled,

An act for the relief of J. B. Mabry and W. B. Hale,

Also, a Senate bill entitled,

An act to punish negroes and mulattoes for rape, and attempt to commit rape,

With sundry amendments,

In which the concurrence of the Senate is desired.

Mr. McLain offerred the following amendment to the bill under consideration, entitled,

An act in relation to warrants on the sale of slaves.

Amend by striking out the words "is not addicted to theft."

Which amendment was lost.

Mr. Huie moved to postpone the bill indefinitely.

Lost.

On motion of Mr. Ellett,

The rule was further suspended,

The bill as amended considered as engrossed,

Read third time and passed,

Ordered, That the title thereof stand as stated.

Mr. Ellett made the following report,

Which was received and agreed to.

MR. PRESIDENT—

The committee on the Judiciary to whom was referred,

A bill entitled,

An act to provide for the taking of depositions of certain public officers in the State of Mississippi and of the United States.

Have had the same under consideration, and instructed me to report that, inasmuch as the deposition of a party or interested witness is not allowed to be taken in any case, an exception in favor of the officers named in this bill ought not to be created.

The committee, therefore, recommend that the bill do not pass.

Mr. Ellett, from the committee on the Judiciary, made the following report :

MR. PRESIDENT—

The committee on the Judiciary, to whom was referred,

An act entitled,

An act to amend an act entitled,

An act for the relief of Henry L. Muldrow of Oktibbeha county, Thomas J. Walton of Warren county, and R. H. Purdom of Hinds county, approved November 30, 1859,

Have had the same under consideration, have instructed me to report the same back, and to recommend that the same do not pass.

Which was received and agreed to.

Mr. Oliver, from a select committee, made the following report :

MR. PRESIDENT :—

The select committee to whom was referred,

A bill to be entitled,

An act to exempt from execution and sale slaves, in cases where the plaintiff, or the person for whose use the money is sought to be collected, denies the right of property in slaves.

Have had the same under their consideration, and have instructed me to report the same back with an amendment and recommend that said amendments be adopted, and that the bill so amended do pass.

On motion of Mr. Oliver,

The Senate proceeded to the consideration of the bill.

The bill was read the third time.

Mr. Enloe offered an amendment by way of rider, as follows :

And in all cases arising under this act when decided in favor of the plaintiff in execution, five per cent. damage shall be assessed to such plaintiff in execution.

Which amendment was adopted.

On motion of Mr. Starke,

The bill and amendments were postponed, and made the special order for to-morrow at 11 o'clock.

Mr. Gordon, from a select committee, made the following report :

Which was received and agreed to:

MR. PRESIDENT—

The select committee to whom was referred,

A communication from John C. Miller, President of Centenary College, Louisiana, presenting to this State a lithographic engraving of the College buildings and grounds attached. respectfully ask leave to report to the Senate that they have examined the engraving referred to, and regard it as a very beautiful picture, and a fine specimen of the lithographic art. Centenary College, the subject of this engraving, is near Jackson, in the Parish of East Feliciana, State of Louisiana. It was first established near Brandon, in this State, and its name was designed to commemorate the attainment of the one hundredth anniversary of the establishment of one of the great Christian Churches of the country. This College advanced slowly under many disadvantages, but it has steadily persevered in the good cause of its mission, until it has emerged from its difficulties, and is now regarded by all as one of the most flourishing and useful educational institutions in the State of Louisiana, and an honor to that great State, as well as to those devoted friends of education and science who have so nobly sustained it under all circumstances.

Your committee would therefore respectfully recommend that this handsome present be accepted; that the engraving be put up in a suitable place in the Senate Chamber, and that a copy of this report be furnished by the Secretary of the Senate to the President of Centenary College.

Mr. Buchanan, from the committee on Propositions and Grievances, made the following report :

Which was received and agreed to.

MR. PRESIDENT—

The committee on Propositions and Grievances to whom was referred,

A bill entitled,

An act for the relief of Henley S. Bennett.

Have had the same under consideration, and beg leave to report the same back, and recommend its passage.

On motion of Mr. Buchanan,

The Senate proceeded to the consideration of the bill,

Which, under a suspension of the rules, was read the third time and passed,

Ordered, that the title thereof stand as stated.

Mr. Starke called for the orders of the day.

A House bill entitled,

An act for the relief of J. D. S. Davenport, former assessor of Jefferson county.

Was read,

The rule was suspended, the bill read the second and third and time, and passed.

Ordered, that the title thereof stand as stated.

A House bill entitled,

An act to repeal the 7th section of an act entitled an act to incorporate the Yazoo and Mississippi Railroad Company.

Was read, and

Under a suspension of the rule, was read three times and passed.

Mr. Ellett called for the special order for 11 o'clock

A Senate bill entitled,

An act to extend the corporate limits of the town of Pass Christian, in the county of Harrison, and for other purposes,

Was read the third time and passed.

Ordered, That the title thereof stand as stated.

The Senate proceeded the consideration of the next special order, viz :

The resolution appointing the 15th of December as the day for adjournment.

Mr. Harrison moved,

To strike out 15th, and insert 21st of December.

Mr. Starke moved,

To postpone the further consideration of the resolution till Monday next.

Upon this question the yeas and nays were called, with the following result :

YEAS—Mr. President, Messrs. Buck, Brasier, Buchanan, Covington, Davis, Enloe, Gordon, McLain, McRae, Starke, and Thomson,—13.

NAYS—Messrs. Catchings, Ellett, Harrison, Harris, Huie, Mason, McCord, Oliver, Quin, Rankin Simonton, Thames and Wilson.—13.

The motion was lost.

Mr. Starke moved,

To postpone the consideration of the resolution till Saturday,

Which, upon a call of the yeas and nays was lost, as follows :

YEAS—Messrs. Buck, Buchanan, Covington, Davis, Enloe, Gordon, McLain, McRae, Neill, Starke, and Thomson—11.

NAYS—Mr. President, Messrs. Brasier, Catchings, Ellett, Harrison, Harris, Huie, Mason, McCord, Oliver, Quin, Rankin, Simonton, Thames, and Wilson—15.

Mr. Rankin offered amendment to Mr. Harrison's amendment, appointing the day to adjourn on the 17th instead of the 21st of December,

Which was lost.

Mr. Starke moved,

To strike out "December," and insert "January."

Mr. Buck moved,

To postpone the further consideration of the resolution till Tuesday, the 13th inst.

Which was lost.

Mr. Ellett moved the previous question,

Which was sustained.

The President announced,

Shall the main question be now put?

Mr. Harrison's motion to amend by striking out 15th proximo, and inserting the 21st of December,

Was adopted.

Mr. Starke gave notice that he voted in favor of the resolution, and would on to-morrow move for its reconsideration.

The following message was received from the House of Representatives, through their Clerk, Mr. Brougher,

MR. PRESIDENT—

The House of Representatives has passed,

A Senate bill to be entitled,

An act to amend an act entitled,

An act in relation to the compensation of the Reporter of the Decisions of the High Court of Errors and Appeals of this State, approved December 3, 1858.

The House has concurred in and adopted the Senate substitute for the

House bill entitled,

An act to prohibit the sale and gratuitous distribution of vinous and spiritous liquors in the town of Mt. Carmel, and within certain limits therefrom.

The House has adopted,

A Senate bill entitled,

An act to authorize the closing of Atchafalaya Bayou, in the county of Yazoo.

The orders of the day were taken up,

A House bill entitled,

An act for the relief of John J. McRae in confirming his title to the north half and south east quarter of section 16, township 7, range 5 west, in Wayne county,

Was read twice under a suspension of the rule, and referred to the Judiciary committee.

Mr. Mason, by leave, introduced,

A bill to be entitled,

An act to protect persons and property on Railroads in this State,

Which was read three times under a suspension of the rule, and passed,

The title standing as stated.

Mr. McLain, by leave, introduced,

A bill entitled,

An act to change the time of holding the Courts in the 8th Judicial District, and for other purposes,

Which was read twice and referred to a select committee of four.

The President appointed as said committee,

Messrs. McLain, Thames, McRae and Rankin.

Mr. Neill moved,

To take up Executive message in relation to Agricultural and Geological reports, which, on his motion,

Were referred to the committee on Geological Surveys.

On motion of Mr. Mason,

The Senate adjourned until 3 o'clock P. M.

THREE O'CLOCK P. M.

The Senate met pursuant to adjournment.

Mr. Wilson introduced,

A bill to be entitled,

An act to prohibit the sale of vinous and spiritous liquors in the town of Pontotoc, in the county of Pontotoc, and for other purposes,

Which was read three times under a suspension of the rule, and passed, with an amendment offered by Mr. McCord, adding an additional section to the bill.

Mr. Enloe introduced,

A bill to be entitled,

An act to change the time of holding the Probate Court of Kemper county.

Which was read three times under a suspension of the rule, and passed,

The title standing as stated.

Mr. Gordon introduced a joint resolution in relation to the erection of a monument to the memory of General John A. Quitman,

Which was read twice, and

On motion of Mr. Gordon,

Made the order of the day for 11 o'clock Wednesday next.

Mr. McCord introduced,

A bill entitled,

An act in relation to the Circuit and Chancery Courts of Tishomingo county,

Which was read three times under a suspension of the rule, and passed,

The title standing as stated.

Mr. Mason introduced,

A bill entitled,

An act for the benefit of the New Orleans, Jackson and Great Northern Railroad Company,

Which was read twice, and

On motion of Mr. Harrison,

The bill was referred to the committee on Internal Improvements,

And 200 copies ordered to be printed for the use of the Legislature.

Mr. McRae introduced,

A bill to be entitled,

An act to amend the Charter of the city of Jackson,

Which, under a suspension of the rule was read three times and passed,

The title standing as stated,

Mr. Starke called up,

A House bill entitled,

An act to increase the fee for apprehending and committing runaway slaves in the counties of Tunica, Coahoma, Washington, Bolivar, and Issaquena,

Which was read, and

On motion of Mr. Starke,

Was laid on the table.

The orders of the day were called for,

A House bill to be entitled,

An act to change the time of holding the Circuit Courts in the 2d Judicial District, in the counties of Simpson, Copiah and Lawrence,

Was read once.

On motion of Mr. Catchings,

The bill was laid on the table.

A House bill entitled,

An act for the relief of Wm. Webster, a free man of color,

Was read the first and second times and

Referred to the committee on the Judiciary.

A House bill entitled,

An act to incorporate the Warren Insurance Company.

Was read three times under a suspension of the rule, and passed,

The title standing as stated.

Mr. Harris, by leave, introduced,

A bill to be entitled,

An act for the relief of Thomas P. Shields, of Lowndes county.

Was read the first time.

The rule was suspended and the bill read the second time.

Mr. Starke moved,

To have the bill engrossed and made the special order for Wednesday 11 o'clock.

The yeas and nays were called for upon this motion, with the following result:

YEAS—Mr. President, Messrs. Covington, Gordon, Harrison, Harris, Huie, Oliver, Starke, and Talliaferro.—9.

NAYS—Messrs. Buck, Brasier, Buchanan, Davis, Ellett, Enloe, McLain, Mason, McCord, Neill, Rankin, Simonton, Thames and Wilson—14.

The motion was therefore lost.

Mr. Oliver, by leave, introduced,

A bill to be entitled,

An act to allow Druggists in the town of Hernando, DeSoto county to sell vinous spiritous and liquors for sacramental or medical purposes,

Which, under a suspension of the rule, was read three times and passed,

The title standing as stated.

Mr. Davis from the committee on Enrolled Bills, made the following report,

Which was received and agreed to:

MR. PRESIDENT—

The committee on Enrolled Bills would report that they have examined,

A bill entitled,

An act for the relief of J. B. Mabry and W. B. Hale,

And have found the same correctly Enrolled.

On motion of Mr. Starke,

The Senate adjourned until to-morrow morning 9 o'clock.

TUESDAY, Dec. 6, 1859.

The Senate met pursuant to adjournment.

The Journal of yesterday was read.

Mr. Ellett, from the committee on the Judiciary, made the following report,

Which was received and agreed to.

MR. PRESIDENT—

The committee on the Judiciary to whom was referred,

An act entitled,

An act to authorize Geo. Hainston, guardian of George Collo. way, a lunatic, to sell and convey the estate of said lunatic, and for other purposes,

Have had the same under consideration, and instructed me to report the same back, and to recommend that the same do not pass.

Mr. Ellett, from the committee on the Judiciary, made the following report.

Which was received and agreed to.

MR. PRESIDENT—

The committee on the Judiciary to whom was referred,

A Senate bill entitled,

An act for the relief of Mrs. James K. Polk,

Have had the same under consideration and have instructed me to report the same back with an amendment, as a substitute for the original bill, converting the same into a general law, to be entitle,

An act to extend to slaves the privilege of bail and habeas corpus,

And recommend the passage of the substitute.

The substitute bill was read, and

On motion of Mr. Ellett,

Was ordered to be engrossed, and made the special order for to-morrow.

Mr. Ellett, Chairman of the Judiciary Committee, made the following report :

Which was received and agreed to :

MR. PRESIDENT—

The committee on the Judiciary to whom was referred,

A Senate bill entitled,

An act to amend chapter LX of the Revised Code of the State of Mississippi, providing for the establishment of Probate Courts and regulating the proceedings therein,

And also a resolution of the Senate instructin the committee "to report a bill (if such power be not now vested in the Probate Courts) authorizing the sale of real estate for distribution, whenever, in the opinion of said court, the interest of the distribntees will be promoted by such sale,"

Have had the same under consideration, and have instructed me to report—

That the said act proposes in the 1st, 2d. 3d and 8th sections to invest the Probate Court with jurisdiction which, in the opinion of the committee, cannot constitutionally be conferred upon that court. The substance of the 4th, 5th and 7th sections, so far as

the committee are willing to recommend their adoption, are embodied in the first and second sections of the bill herewith reported as a substitute. The remaining sections of the bill referred, the committee think ought not to become a part of the law.

The committee think the subject referred to in the resolution of instruction is covered by article 153 of chapter 60 of the Revised Code; but as the construction of that article may be somewhat doubtful, the committee have prepared an amendment to article 117 of said chapter, which will remove any such doubt. This amendment will be found in section 4 of the substitute herewith reported. The committee have included in the substitute several other amendments of the Probate Court law, which they think ought to be adopted.

The committee, therefore, report a substitute for the bill referred, which they recommend should be adopted and passed.

The bill entitled,

An act to amend the sixtieth chapter of the Revised Code, entitled,

An act to provide for the establishment of the Probate Courts, and for prescribing the mode of proceeding therein.

Was read, and

On motion of Mr. Ellett,

Was postponed till to-morrow, 11 o'clock.

Mr. Ellett, from the committee on the Judiciary, made the following report :

MR. PRESIDENT :—

The committee on the Judiciary who were instructed to enquire into the expediency of reporting a bill to prevent the introduction of slaves into this State for sale, hire, or merchandize,

Have had the same under consideration, and have instructed me to report,

That a majority of the committee are not prepared to recommend the adoption of any legislation on the subject referred to. They have, however, prepared

A bill entitled,

An act to prohibit the introduction of slaves into this State as merchandize, or for sale or hire,

Which they have instructed me to report, and to ask to be discharged from the further consideration of the subject.

Which was received and agreed to.

The bill entitled,

An act to prohibit the introduction of slaves into this State as merchandize, or for sale or hire,

Was read, and

On motion of Mr. Harrison,

Was laid on the table for the present.

Mr. Covington, from the committee on the Lunatic Asylum, made the following report,

Which was received and agreed to.

And the report laid on the table, and two hundred copies ordered to be printed for the use of the Legislature.

[See Appendix, page 332.]

Mr. Mason, from the committee on claims, made the following report:

MR. PRESIDENT—

The committee on Claims to whom was referred,

The letter of W. R. Stewart, together with two receipts accompanying the same, have had the same under consideration, and find them very indefinite, and have instructed me to report them back to the Senate, and ask to be discharged from their further consideration,

Which was received and agreed to.

Mr. Huie, from a select committee, made the following report:

Which was received and agreed to.

MR. PRESIDENT—

The select committee to whom was referred,

The bill to authorize the Board of Police in the county of Attala to appropriate the Swamp Land Fund of said county to the building of a Court House in said county,

Have had said bill under consideration, and have instructed me to report the following amendment to said bill, to-wit:

At the close of section 1, amend by adding the proviso herewith submitted, and to recommend that said bill so amended do pass.

All of which is respectfully submitted.

On motion of Mr. Huie,

The Senate proceeded to the consideration of the bill.

The amendment was read and adopted.

Mr. Gordon moved,

To refer the bill to a select committee,

Which motion was lost.

On motion of Mr. Davis,

The bill was

Referred to the committee on the Judiciary.

The following message was received from the House of Representatives, through their Clerk, Mr. Brougher,

MR. PRESIDENT—

The House of Representatives has passed bills of the following titles :

An act in relation to appeals and writs of certiorari from Justices Courts.

An act to increase the compensation of the tax assessor of Choctaw county.

An act to prevent escapes from the jail of Choctaw county.

An act for the punishment of slaves convicted of the crime of manslaughter.

An act to regulate the venue of actions against Railroad Corporations.

Mr. McLain, from a select committee, made the following report,

Which was received and agreed to.

MR. PRESIDENT :—

The select committee to whom was referred,

A bill to be entitled,

An act to change the time of holding the Circuit Courts in the 8th Judicial Circuit Court District, and for other purposes,

Have had the same under consideration and have instructed me to report the same back to the Senate, and recommend its passage.

On motion of Mr. McLain,

The Senate proceeded to the consideration of said bill.

Which was read the third time and passed.

Ordered, that the title thereof stand as stated.

Mr. Chrisman, from the committee on Engrossed Bills, made the following report :

Which was received and agreed to.

MR. PRESIDENT—

The committee on Engrossed Bills have examined,

An act to authorize and require the Board of Police of Choctaw county to hold an election in certain townships in said county for the purpose expressed in this act.

And have found the same to be correctly engrossed.

Mr. Mims, from a select committee, made the following report :

Which on his motion,

Was received and agreed to.

MR. PRESIDENT :—

The select committee to whom was referred,

An act to aid in the erection of a monument to commemorate the services of the 1st and 2d Regiments of the State of Mississippi in the war with Mexico,

Have had the same under consideration, and have instructed me (Mr. Wilson and Mr. Simonton dissenting) to report the same back, and recommend that section 4 in said bill be struck out and the accompanying amendment, adopted in lieu thereof, and that the bill so amended pass.

Mr. Chrisman moved,

To make the Gulf and Ship Island Railroad bill the order of the day for to-morrow at 3 o'clock.

Which motion was adopted.

On motion of Mr. Mims,

The Senate proceeded to the consideration of the bill entitled,

An act to aid in the erection of a monument to commemorate the services of the 1st and 2d Regiments of the State of Mississippi in the war with Mexico,

Which was read, and

The amendment offered by the committee,

Was adopted.

Mr. Mason offered the following amendment to the amendment,

Amend by inserting the battalion commanded by J. Patton Anderson,

Which was adopted :

Mr. Ellett offered the following amendment :

Which was adopted.

Also an independent corps of volunteers from the county of Claiborne, under the command of Capt. W. R. Shivers.

The bill, with the amendments,

Was read,

Mr. Neill offered the following amendment :

Strike out "Capitol grounds," in the second section, and insert "Campus of the State University of Mississippi at Oxford."

A division was called for upon this amendment, and it was adopted, fifteen Senators voting aye, and fourteen nay.

Mr. Mims moved,

To postpone the consideration of the bill indefinitely.

Mr. Starke moved,

To lay the motion of Mr. Mims on the table.

Upon this question the yeas and nays were called, with the following result :

YEAS—Mr. President, Messrs. Buchanan, Davis, Enloe, Harrison, Harris, Howry, Mason, Neill, Oliver, Starke, Thomson and Talliaferro—13.

NAYS—Messrs. Buck, Brasier, Catchings, Chrisman, Ellett, Gordon, Huie, McLain, Mims, McCord, McRae, Quin, Rankin, Simonton, Thames and Wilson—16.

The motion was lost.

On motion of Mr. Starke,
The Senate adjourned until 3 o'clock P. M.

THREE O'CLOCK P. M.

The Senate met pursuant to adjournment.

Mr. McRae, by leave, introduced,

The following resolution,

Which was adopted.

Resolved, That the Secretary of the Senate be instructed to request the House of Representatives to return

The Senate bill entitled,

An act to amend the Charter of the city of Jackson,

Mr. Mims withdrew his motion for the indefinite postponement of the bill entitled,

An act to aid in the construction of a monument to commemorate the services of the 1st and 2d Regiments of the State of Mississippi in the war with Mexico.

Mr. Drane moved,

To reconsider the vote making Oxford the place for the erection of the monument instead of Jackson.

Which motion was carried.

On motion of Mr. Mims,

The bill and amendments were referred to the committee on the militia.

Mr. Oliver called for the special orders.

The bill entitled,

An act to prohibit the circulation of bank notes or bills under the denomination of twenty dollars after the times therein mentioned

Was read the second time.

Mr. Gordon offered the following amendment:

Amend by adding after the 1st section the following proviso:

Provided, That this act shall not apply to the bank notes or certificates of deposit of any chartered bank in this State, the charter of which has not been declared forfeited.

Mr. Ellett offered the following amendment to the amendment:

Amend the amendment by striking out the words "certificates of deposits," and by adding at the end of the amendment the words "and that have secured to them by their respective charters the right to issue notes of a less denomination than twenty dollars."

Mr. Oliver moved,

To lay the amendment, and the amendment to the amendment on the table.

Upon this motion,

The yeas and nays were called with the following result :

YEAS—Mr. President, Messrs. Braiser, Buchanan, Catchings, Covington, Chrisman, Davis, Enloe, Harrison, Harris, Howry, Huie, Mims, Neill, Oliver, Quin, Rankin, Thames and Talliaferro—19.

NAYS—Messrs. Buck, Ellett, Gordon, McLain, Mason, McCord, Starke, Simonton, Thomson, and Wilson—10.

The amendment, and the amendment to the amendment, was therefore laid on the table.

Mr. Gordon offered the following amendment :

Amend by adding—Provided that the West Feliciana Railroad Company shall be exempted from the operation of this act.

Mr. Oliver moved,

To lay the amendment on the table,

Which motion was lost by yeas and nays, as follows :

YEAS—Messrs. Brasier, Catchings, Covington, Davis, Enloe, Harris, Howry, Huie and Oliver—9.

NAYS—Mr. President, Messrs. Buck, Buchanan, Chrisman, Ellett, Gordon, Harrison, McLain, Mims, Mason, McCord, Neill, Quin, Rankin, Starke, Simonton, Thomson, Thames Talliaferro and Wilson.—20.

Mr. Buck offered an amendment to Mr. Gordon's amendment, exempting the Bank of Manchester from the operation of the act.

Mr. Starke moved,

To refer the bill and amendments to the committee on Finance.

Mr. Buchanan moved,

To reconsider the vote taken upon the question of laying the amendment, and the amendment to the amendment on the table,

Which was carried,

The amendment was read, and a division was called for upon their adoption.

Ten Senators voted in the affirmative and thirteen in the negative.

The amendments were therefore rejected.

Mr. Starke moved,

To adjourn.

A division was called for, and the Senate refused to adjourn.

Mr. Simonton moved,

To lay the bill and amendments on the table.

Which motion was lost upon a call of the yeas and nays, as follows :

YEAS—Messrs. Buck, Davis, Gordon, McLain, McCord, Starke, Simonton, Thomson and Wilson.—9.

NAYS—Mr. President, Messrs. Brasier, Buchanan, Catchings, Covington, Chrisman, Ellett, Enloe, Harrison, Harris, Howry, Huie, Mims, Mason, Neill, Oliver, Quin, Rankin, and Thames—18.

The yeas and nays were called for upon the first amendment offered by Mr. Gordon, with the following result :

YEAS—Messrs. Ellett, Gordon, McLain, McCord, Starke, Simonton, Thomson, Thames and Wilson.—10.

NAYS—Mr. President, Messrs. Brasier, Buchanan, Catchings, Covington, Davis, Enloe, Harris, Howry, Huie, Mims, Mason, Neill, Oiver, Quin and Rankin.—16.

The amendment was therefore lost.

Mr. Starke offered an amendment,

Which was lost.

Mr. Simonton offered to amend by striking out the 1st of March next, and inserting the 1st of March 1861, and striking out 1861 and inserting 1862.

Upon the adoption of this amendment the yeas and nays were called, with the following result :

YEAS—Messrs. Buck, Davis, Gordon, McLain, McCord, Starke, Simonton, Thomson and Wilson—9.

NAYS—Mr. President, Messrs. Brasier, Buchanan, Catchings, Covington, Enloe, Harris, Huie, Mims, Mason, Neill, Oliver, Quin, Rankin and Thames—16.

The amendment was lost.

Mr. Starke offered the following amendment :

And that after the first day of January, 1862, it shall not be lawful to pass any foreign bank paper of any denomination whatever in this State ; and if any person shall offend against this provision they shall be guilty of a misdemeanor, and may be indicted and fined for every offence five hundred dollars, payable in specie.

Mr. Oliver moved,

To lay the amendment on the table.

Mr. Oliver withdrew the motion, and the vote was taken upon the amendment.

Upon which motion the yeas and nays were called :

YEAS—Messrs. Davis, McLain, Neill, Quin, Rankin, Starke, and Simonton—7.

NAYS—Mr. President, Messrs. Brasier, Buchanan, Catchings, Covington, Chrisman, Ellett, Enloe, Gordon, Harrison, Harris, Howry, Huie, Mims, Mason, McCord, Oliver, Thomson, Thames and Wilson.—20.

Mr. Oliver moved,

That the bill be read the third time and put upon its passage.

Yeas and nays called for by three Senators, with the following result:

YEAS—Mr. President, Messrs. Brasier, Buchanan, Catchings, Covington, Chrisman, Ellett, Enloe, Harrison, Harris, Huie, Howry, Mims, Mason, Neill, Oliver, Quin, Rankin and Thames—19.

NAYS—Messrs. Buck, Davis, Gordon, McLain, McCord, Starke, Simonton, Thomson, and Wilson—8.

The bill therefore passed.

Ordered, that the title thereof stand as stated.

Mr. Davis, Chairman of the committee on Enrolled Bills, offered the following report:

Which was received and agreed to :

MR. PRESIDENT—

The committee on Enrolled Bills have examined the following bills:

A bill entitled,

An act to change the time of holding the Probate Court of Newton county,

And the bill to be entitled,

An act to amend an act entitled,

An act in relation to the compensation of the Reporter of the decisions of the High Court of Errors and Appeals of this State.

An act to authorize the closing of Atchafalaga Bayou, in the county of Yazoo.

And have found the same correctly Enrolled.

On motion of Mr. Chrisman,

The Senate adjourned until to-morrow morning at 9 o'clock.

WEDNESDAY, Dec. 7, 1859.

The Senate met pursuant to adjournment.

The Journal of yesterday was read and approved.

Mr. Howry presented the memorial of James Brown,

Which was referred to a select committee of three.

The President appointed as said committee,

Messrs. Howry, Buchanan and Simonton.

Mr. Ellett moved,

To dispense with the regular order of the morning business, that the Senate might proceed to the consideration of the House message,

Which motion was adopted,

Mr. Chrisman, by leave, called from the table,

A House bill entitled,

An act to change the time of holding the Circuit Courts in the 2d Judicial District, in the counties of Simpson, Copiah and Lawrence,

Which, under a suspension of the rule, was read the second and third times, and passed,

The title thereof standing as stated.

The Senate proceeded to the consideration of the House message,

A bill entitled,

An act for the better government of Railroad Companies,

Was read the second time, and

Referred to the committee on the Judiciary.

The following message was received from the House of Representatives, through their Clerk, Mr. Brougher,

MR. PRESIDENT—

The House of Representatives has passed,

A bill entitled,

An act to establish in the county of Warren, an Inferior Court of criminal jurisdiction.

Also, a Senate bill entitled,

An act to extend the corporate limits of the town of Pass Christian, in the county of Harrison, and for other purposes.

An act to amend the laws in relation to free negroes and mulattoes in this State, and for other purposes.

A bill to be entitled,

An act to amend an act entitled an act further to amend an act entitled an act to incorporate the Mississippi and Tennessee Railroad Company, approved March 8th, 1856.

Was read the second time, and

On motion of Mr. Mason,

Was referred to a select committee of three.

The President appointed as said committee,

Messrs. Mason, Oliver and Talliaferro.

A Senate bill entitled,

An act to punish negroes and mulattoes for rape and attempt to commit a rape,

Was taken up and the House amendments thereto considered,
Mr. Ellett moved,

To concur in the House amendments,

Which motion was adopted.

A House bill to be entitled,

An act to regulate the sale of vinous and spiritous liquors in Centre beat, Yallobusha county,

With a Senate amendment,

Was read the third time and passed as amended.

A House bill entitled,

An act to amend an act to secure the interest on the school fund belonging to the Chickasaw cession and for other purposes, so far as the same relates to the counties of Tishomingo and Tappah, Panola and Lafayette,

Was read.

On motion of Mr. McCord,

The Senate insisted upon its amendment to said bill, and

The President appointed, on the part of the Senate, the following committee of conference,

Messrs. McCord, Howry and Mason.

A bill entitled,

An act to amend the road laws of Washington county,

Was read twice.

Mr. Starke moved,

To refer the bill to a select committee of three.

The President appointed,

Messrs. Starke, Buck and Talliaferro.

The following message was received from the House of Representatives, through their Clerk, Mr. Brougher,

MR. PRESIDENT—

The House of Representatives has passed bills originating in the Senate of the following titles :

An act for the relief of George Torrey.

Also, House bills of the following titles :

An act for the benefit of township five, range one east, in the county of Rankin.

An act for the relief of Stephen F. Power.

An act for the relief of L. Richmond.

A House bill for the relief of Thomas Crenshaw, a free man of color, of Copiah county,

Was read twice under a suspension of the rule, and referred to the Judiciary committee.

A House bill entitled,

An act to authorize C. L. Quave to establish a Steam Ferry across the Back Bay of Biloxi, in Harrison county,

Was read three times under a suspension of the rule, and passed,

The title thereof standing as stated.

A House bill entitled,

An act to amend the acts in relation to school lands in Bolivar county,

Was read, and the rule suspended, the bill read a second and third times, and passed,

The title standing as stated.

A House bill entitled,

An act for the relief of Murdock McInnis,

Was read three times under a suspension of the rule, and passed,

The title thereof remaining as stated.

Mr. Neill, by leave, called up,

A House bill entitled,

An act further to regulate the qualification of Trustees of school lands in the county of Carroll,

Which was read three times under a suspension of the rule and passed,

The title standing as stated.

The following message was received from his Excellency the Governor, through his Private Secretary, Mr. Campbell :

EXECUTIVE OFFICE, }
City of Jackson, Dec. 7, 1859. }

MR. PRESIDENT—

I am instructed by the Governor to transmit to the Senate this message in writing, relative to appointments.

MR. PRESIDENT :—

The Governor did on the 5th inst., sign and approve, Senate bill entitled,

An act for the relief of J. B. Mabry and W. B. Hale,

A House bill entitled,

An act to authorize the Board of Police of the county of Itawamba to sell the Poor House lands, and other property,

Was read three times under a suspension of the rule, and passed,

The title standing as stated.

A House bill entitled,

An act to repeal section 3d of an act entitled an act in relation to the pay of the Clerk of the Board of Police, of the county of Issaquena, for extra official services, and for other purposes,

Was read three times under a suspension of the rule, and passed,

The title standing as stated.

A House bill entitled,

An act authorizing the construction of a dam across Little Sunflower river, at the mouth of Rolling Fork,

Was read.

On motion of Mr. Buck,

The rule was suspended, the bill read the second and third times, and passed,

The title standing as stated.

On motion of Mr. McLain,

The Senate suspended the regular order of business, in order to consider the message just received from the Governor.

On motion of Mr. Starke,

The Senate resolved itself into Executive Session.

EXECUTIVE SESSION, Dec. 7, 1859.

The following message was received from His Excellency Governor J. J. Pettus:

EXECUTIVE OFFICE, }
City of Jackson, Miss., Dec. 7, 1859. }

To the Senate of the State of Mississippi :

GENTLEMEN:—I hereby nominate and ask the consent of the Senate to the appointment of William H. Allen, John W. Robinson and Willis Langley, as Supervisors of the Mississippi State Lunatic Asylum for the term comencing first of Dec. 1859.

JOHN J. PETTUS.

Mr. Covington moved,

To refer the message to a select committee of three.

The President appointed as said committee,

Messrs. Covington, McLain and Mims. ■

On motion of Mr. Starke,

The Executive Session was dissolved.

A House bill entitled,

An act for the benefit of the Hon. John E. McNair, Judge of the 2d Judicial District of the State of Mississippi,

Was read, and

On motion of Mr. Catchings,

The rule was suspended, the bill read the second and third times and passed,

The title standing as stated,

A House bill entitled,

An act supplemental to an act explanatory of any act passed at the present term of the Legislature of the State of Mississippi, entitled an act for the relief of James H. Nichols, of Hinds county,

Which was read three times under a suspension of the rule, and passed,

The title standing as stated.

A House bill entitled,

An act to change the time of holding the Probate Court of the county of Carroll,

Was read three times under a suspension of the rule, and passed,

The title standing as stated.

A House bill entitled,

An act to legalize the proceedings of the Probate Court of Lauderdale county,

Was read three times under a suspension of the rule and passed,

The title standing as stated.

A House bill entitled,

An act increasing the salary of the Probate Judge of Marion county,

Was read three times under a suspension of the rule, and passed,

The title thereof standing as stated.

A House bill entitled,

A bill further to provide for the entry of the county submerged land,

Was read three times under a suspension of the rule, and passed,

The title standing as stated.

A House bill entitled,

An act granting leave of absence to G. S. McMillan, District Attorney of the 2d Judicial District,

Was read three times under a suspension of the rule and passed,

The title standing as stated.

A House bill entitled,

An act more particularly defining the duties of the Swamp Land Commissioners of Newton county,

Was read three times under a suspension of the rule and passed,

The title remaining as stated.

A House bill entitled,

An act in relation to retailing vinous or spiritous liquors in Township 3, Range 4 East, in the county of Rankin,

Was read three times under a suspension of the rule and passed,

The title thereof standing as stated.

A House bill entitled,

An act in relation to the swamp lands in Smith county,

Was read twice, and

On motion of Mr. Quin,

Was laid on the table.

A House bill entitled,

An act to increase the salary of the Probate Judge of Tippah county,

Was read three times under a suspension of the rule, and passed,

The title standing as stated.

On motion of Mr. Mims,

The Senate proceeded to the consideration of a joint resolution of the House in relation to the appointment of a joint committee to examine the Executive Mansion, &c.

On motion of Mr. Starke,

The blank in the committee was filled with the number three.

The President appointed as said committee on the part of the Senate,

Messrs. Starke, Mims and Neill.

A House bill entitled,

An act to authorize the corporate authorities of Yazoo City to grant license for the sale of vinous and spiritous liquors,

Passed to its second reading, and

On motion of Mr. Starke,

Was laid on the table.

A House bill entitled,

An act to authorize the Trustees of township 1-1, range 1 east, in Yazoo county, to distribute the school fund thereof,

Was read three times under a suspension of the rule and passed,

The title standing as stated.

The following House bills were read three times under a suspension of the rule and passed,

The titles standing as stated :

A bill to be entitled,

An act to amend the laws in relation to common schools, so far as the same relates to Wilkinson county.

A bill to be entitled,

An act in relation to the County Surveyor of Warren county.

A bill to be entitled,

An act for the relief of Constables in Tishomingo and Tippah counties.

A bill to be entitled,

An act to extend the corporate limits of the town of Rienzi, in the county of Tishomingo.

A House bill entitled,

An act to regulate the venue of actions against Railroad Companies,

Was read twice, and

On motion of Mr. Neill,

Was referred to the Judiciary committee.

Mr. Quin, by leave, introduced,

The following resolution,

Which was adopted :

Resolved, That the Judiciary committee be instructed to enquire into the expediency of introducing a bill in relation to the swamp and overflowed lands of the interior counties of this State, embracing the principle of the diversion of the funds arising from the sale of said lands to other purposes than those contemplated, in the Congressional grant, and also, in relation to the proper mode of holding the Commissioners of the various counties to a strict accountability for their action in regard to said fund.

A House bill entitled,

An act for the punishment of slaves convicted of the crime of manslaughter,

Was read twice, and

On motion of Mr. Davis,

Was referred to the Judiciary committee

A House bill entitled,

An act in relation to appeals and writs of certioari from Justices' Courts,

Was read twice, and

On motion of Mr. Neill,

Was referred to the committee on the Judiciary,

A House bill entitled,

An act to increase the compensation of the Tax Assessor of Choctaw county,

Was read twice, and

Referred to the committee on Finance.

A House bill entitled,

An act to prevent escape from Jail of Choctaw county,

Was read twice,

And laid on the table,

Mr. McRae introduced,

The following resolution,

Which was adopted :

Resolved, That the Judiciary committee be instructed to report a bill for the better protection of oysters in the counties of Harrison, Jackson and Hancock.

Mr. Enloe introduced,

The following joint resolution,

Which was adopted:

Resolved, [the House of Representatives concurring,] That the Trustees of the Institution for the instruction of the Deaf and Dumb, be requested, without delay, to make a report to the Legislature, such as by law they are required to make.

On motion of Mr. Neill,

The Senate adjourned until to-morrow morning 9 o'clock.

THURSDAY, Dec. 8, 1859.

The Senate met pursuant to adjournment.

The Journal of yesterday was read and approved.

Mr. Huie introduced,

A memorial and bill for the relief of Johnson M. Hooper,

The bill was read once, and

On motion of Mr. Chrisman,

The bill, with the memorial, was referred to the committee on Propositions and Grievances.

Mr. Chrisman moved,

To dispense with the regular order of business, and proceeded to the consideration of the special orders of the day.

The yeas and nays were called for upon this question, with the following result:

YEAS—Messrs. Catchings, Chrisman, Ellett, Enloe, Gordon, Harrison, Harris, McCord, Neill, Quin, Rankin, Thomson, Thames and Talliaferro.—14.

NAYS—Mr. President, Messrs. Brasier, Buchanan, Covington, Davis, Huie, McLain, Oliver, Simonton and Wilson—10.

Mr. Chrisman moved to call up,

A bill entitled,

An act to provide for the transfer of the stock of the State of Mississippi in the New Orleans, Jackson and Great Northern Railroad, the Mississippi Central Railroad, and the Mobile and Ohio Railroad, to the Gulf and Ship Island Railroad,

Which was read,

Mr. Davis offered the following amendment:

Strike out after the words, "be it enacted," in section three, all down to the proviso in line eleven, and insert in lieu thereof, that the Governor of this State for the time being be and he is

hereby authorized and directed to represent the State of Mississippi as a stockholder in the said Gulf and Ship Island Railroad to such extent as the stock owned by the State in said Railroad, may entitle her, and that the Governor report at each regular session of the Legislature, the condition of said Railroad, as exhibited by the report required to be made under its charter and from such other sources of information as may be in his power.

Mr. Chrisman offered the following amendment as a substitute for the amendment offered by Mr. Davis :

Be it further enacted, That for every share of stock subscribed and paid for by the State, under the provisions of this act, in the said Gulf and Ship Island Railroad, the Governor of the State, jointly with the Auditor of Public Accounts, Secretary of State, State Treasurer and Attorney-General, shall cast the vote of the State upon its stock subscribed in said Company. And in case they are not unanimous in agreeing upon the proper person to vote for as Directors of said Company, or upon any other question that the stockholders may be called to vote upon, a majority of them shall vote upon the stock of the State. But whenever the amount of stock held by private individuals in said Company shall exceed, by one-third, the amount of stock held by the State, it shall be lawful for the Legislature hereafter to provide by law, that the State shall not have any vote in the election of Directors; or in any meeting of the stockholders, but may appoint, in such mode as the Legislature may then indicate, not less than three nor more than five of the number of the Directors—the rest to be elected by private stockholders.

On motion of Mr. Ellett,

The Senate resolved itself into a committee of the whole for the further consideration of the bill this evening at 3 o'clock.

On motion of Mr. Ellett,

The Senate adjourned until 3 o'clock P. M.

THREE O'CLOCK P. M.

The Senate met pursuant to adjournment.

Mr. Buck, by leave, introduced,

A bill entitled,

An act amendatory of the law of descents and distribution,

Which was read twice under a suspension of the rule, and

Referred to the committee on the Judiciary,

Mr. Mims asked and obtained leave to introduce,

A bill entitled,

An act authorizing certain fines and penalties to be paid to the Treasurer of the city of Jackson,

Which was read three times under a suspension of the rule,
and passed,

The title standing as stated.

On motion of Mr. Covington,

The Senate resolved itself into Executive Session.

EXECUTIVE SESSION, Dec. 8, 1859.

Mr. Covington presented the following report, which

On motion of Mr. Buck,

Was laid on the table.

MR. PRESIDENT—

The select committee to whom was referred the message from
the Governor, appointing Supervisors of the Lunatic Asylum,

Have had the same under consideration, and have instructed
me to report the same back, and recommend that the Senate advise
and consent to the appointments therein made.

On motion of Mr. Covington,

The Executive Session was dissolved.

Mr. Quin, by leave, introduced,

A bill entitled,

An act to amend article No. 40 of the Attachment law of this
State,

Was read twice, and

Referred to the committee on the Judiciary.

On motion of Mr. Chrisman,

The Senate resolved itself into a committee of the whole for the
consideration of the Gulf and Ship Island Railroad bill,

Mr. McCord of Tishomingo, in the Chair.

After sitting some time the committee arose, reported progress
and asked leave to sit again on to-morrow, at 11 o'clock,

Which report,

On motion of Mr. McCord,

Was received and agreed to.

Mr. Rankin asked and obtained leave to introduce,

A bill to be entitled,

An act to authorize the establishment of private burying grounds,

Which was read twice by title and referred to the Judiciary committee.

Mr. Mims presented the claim of George Work, which on his motion, was

Referred to the committee on Claims.

On motion of Mr. Neill,

The joint resolutions upon State and Federal Relations were taken up and read.

Mr. Starke introduced the following amendatory resolution :

Resolved, That these resolutions be recommitted to the committee on State and Federal Relations, with instruction to amend the first resolution so as to declare it to be the duty of Congress to pass all necessary laws for the protection of slave property in the Territories of the United States.

Also, to amend the second resolution so as to declare that the election of a Northern sectional candidate to the Presidency will justify the Southern States, and make it their duty to dissolve all connection with the Northern States, and to establish a Southern Confederacy.

Mr. Drane moved,

To make the resolutions and amendments the special order for 3 o'clock to-morrow.

On motion of Mr. Covington,

The Senate resolved itself into Executive Session.

EXECUTIVE SESSION, Dec. 8. 1859.

On motion of Mr. Covington,

The Senate advised and consented to the appointment of Supervisors of the Lunnatic Asylum made by the Governor.

On motion of Mr. Drane,

The Executive Session was dissolved.

On motion of Mr. Drane,

The Senate adjourned until to-morrow morning 9 o'clock.

FRIDAY, Dec. 9, 1859.

The Senate met pursuant to adjournment.

The roll was called and Journal of yesterday was read and corrected.

Mr. Hale asked and obtained leave to introduce the following bill,

A bill to authorize the State to prosecute writs of Errors and Appeal in certain cases,

Which was read the first and second times and referred to the Judiciary committee.

Mr. McLain made the following report from the joint standing committee on the Institution for the Blind:

MR. PRESIDENT:—

The joint committee on the Asylum for the Blind, have instructed me to submit the following report:

The committee have made a careful examination of all the papers placed in their hands, consisting of vouchers for monies paid out for the past two years, together with the reports of the Principal and Board of Trustees of said Institution, and are happy to inform the Legislature that their investigations have resulted in the conviction that the Institution is in a flourishing condition; and has already been a dispenser of incalculable blessings to the unfortunate class of our fellow-citizens designed to be reached and effected by its benefactions.

The report of the Board of Trustees upon the finances of the Institution speaks well for the wisdom, economy and efficiency of the present managers, shows balance in hand of \$1,582 67, and establishes the fact that the annual appropriation of \$6,000 00 for the benefit of the Institution is amply sufficient for its present exigencies.

That the members of the Legislature and others concerned, may have more definite information as to the management, the condition and prospects of this Asylum for the Blind, your committee hereby recommend the printing of three hundred copies of the above named reports for the use of the Legislature and distribution among the parents and guardians of the pupils belonging to said Asylum.

On motion of Mr. McLain,

The report was received and agreed to.

Mr. Ellett, Chairman of the Judiciary Committee, made the following report,

Which was received and agreed to.

MR. PRESIDENT—

The committee on the Judiciary who were instructed to report

a bill for the better protection of oysters in the counties of Jackson, Harrison and Hancock,

Have had the same under consideration, and have instructed me to report,

A bill entitled,

An act to prevent the destruction of oysters in this State,

And to ask to be discharged from the further consideration of the subject.

On motion of Mr. Ellett,

The Senate proceeded immediately to the consideration of the following bill,

An act to prevent the destruction of Oysters in this State,

Which was read the first time and under the further suspension of the rules was read the second and third times and passed,

The title standing as stated.

Mr. Ellett, from the committee on the Judiciary, made the following report :

Which was received and agreed to.

MR. PRESIDENT—

The committee on the Judiciary, to whom was referred,

A House bill entitled,

An act for the punishment of slaves convicted of manslaughter,

Have had the same under consideration and have instructed me to report the same back with an amendment, and to recommend that the amendment be adopted, and that the bill do pass as amended.

On motion of Mr. Ellett,

The Senate proceeded to consider,

A bill to be entitled,

An act for the punishment of slaves convicted of the crime of manslaughter,

With the following amendment :

Strike out "one hundred" and insert "fifty,"

Which was read the first time and under a suspension of the rule, was read the second and third times and passed as amended,

The title standing as stated.

Mr. Ellett, from the committee on the Judiciary, made the following report,

Which was received and agreed to :

MR. PRESIDENT—

The committee on the Judiciary to whom was referred,

A House bill entitled,

An act for the better government of Railroad Companies,

Have had the same under consideration, and have instructed me to report the same back, with the following amendment, and

to recommend the adoption of the said amendment, and the passage of the bill as amended,

Amendment,

Amend the bill by striking out the second, third and fourth sections.

On motion of Mr. Ellett,

The Senate considered,

A bill to be entitled,

An act for the better government of Railroad Companies,

Together with the proposed amendment,

Which was read the first time, and under a further suspension it was read the second time.

Pending the discussion on this bill,

The following message was received from the House, through their Clerk, Mr. Brougher,

MR. PRESIDENT—

The House of Representatives has passed bills entitled,

An act to repeal an act passed 28th Feb., 1854.

An act to provide for the sale of lands held by the State as delinquent for taxes in the counties of Tunica, Sunflower and Coahoma.

An act for the benefit of Ann Mataw, a free woman of color.

An act to more effectually prevent hawking and pedling by non-residents in this State.

The House has also passed,

A Senate bill entitled,

An act to refund to Railroad Companies the amount of railroad tax collected by the Auditor of Public Accounts,

With two amendments, in which the concurrence of the Senate is requested.

On motion of Mr. Howry,

The bill under consideration, with the amendments thereto, was laid on the table and made the special order for three o'clock to-morrow evening:

Mr. Oliver introduced the petition of Daniel Mc Kinzie,

Which was referred to the Judiciary committee without being read.

On motion of Mr. Chrisman,

The Senate resolved itself into a committee of the whole on the Gulf and Ship Island Railroad,

Mr. McCord in the Chair.

After considerable discussion, the committee arose, reported progress and asked leave to sit again at eleven o'clock to-morrow morning.

Mr. Mason introduced the following bill,

An act to authorize the Directors, appointed by the State of

Tennessee, to represent the interest of said State in the Mississippi Central Railroad Company,

Which was read the first time, and under a further suspension of the rules, was read the second and third times and passed,

The title standing as stated.

The following message was received from the Governor, through his Private Secretary, J. C. Campbell :

EXECUTIVE OFFICE, }
City of Jackson, Dec. 9, 1859. }

MR. PRESIDENT :—

The Governor did on the 7th and 8th instant, sign and approve, Senate bills entitled,

An act to authorize the closing of Atchafalaga Bayou, in the county of Yazoo.

A bill to be entitled,

An act to change the time of holding the Probate Court of Newton county.

Mr. Simonton introduced the following bill,

An act entitled an act to repeal a portion of an act entitled an act declaring Chawappa Old Town and Bar Creeks navigable streams, approved Feb. 5, 1840,

Which was read the first time, and under a further suspension of the rules, was read the second and third times and passed,

The title standing as stated.

Mr. Thames introduced the following bill,

A bill to be entitled,

An act to authorize the Board of Police of Lauderdale county to dispose of the money heretofore collected to build a jail in said county.

Which was read the first time, and under a suspension of the rules, was read the second and third times and passed,

The title standing as stated.

On motion of Mr. Neill,

Mr. Howry was added to the committee on the Geological Survey.

Mr. Davis moved,

That the Senate adjourn till 9 clock tomorrow morning.

Lost.

Mr. Howry moved,

To adjourn till three o'clock this evening.

THREE O'CLOCK P. M.

The Senate met pursuant to adjournment and the roll was called.

Mr. Simonton moved,

That the Senate resolutions and amendments thereto be made the special order for to-morrow at twelve o'clock,

Which was agreed to.

Mr. McLain, from a select committee, made the following report:

Which was received and agreed to.

MR. PRESIDENT—

The select committee to whom was referred the petition of sundry citizens of the city of Enterprise, and the county of Clarke generally, upon the currency of the State,

Have had the same under consideration, and by way of meeting the wishes of said petitioners in part, have instructed me to report for the action of the Senate, the accompanying bill and recommend its passage.

On motion of Mr. McLain,

The Senate considered the bill.

An act to be entitled an act to amend an act to incorporate the Merchants' and Planters' Insurance Company of the city of Enterprise, approved December 3, 1858,

Which was read the first and second time.

Mr. Howry made the following report:

MR. PRESIDENT—

The joint standing committee on the State University, have instructed me to report the accompanying bill to the Senate and to recommend that the same do pass.

Mr. Howry moved,

*The Senate proceed immediately to the consideration of

*A bill to be entitled,

An act to extend the provisions of an act for the relief of the State University of Mississippi, for two years after sixth March next, and for other purposes,

Which was read first time, and under a suspension of the rules, was read the second time and made the special order for Tuesday eleven o'clock.

Mr. Howry, from a select committee, made the following report,

MR. PRESIDENT—

The select committee to whom was referred the memorial of James Brown, of Lafayette county, praying for the issuance of levee scrip in lieu of certain lands therein mentioned,

Have had the same under consideration and have instructed me to report that they find on examination of the books in the Secretary of States' office, that on the 17th day of Dec., 1853 lots numbers 3, 4, 5, 6, 9, 10, 11 and 16, in sec. 23, and lot 7 in sec. 22, township 19, range 4, west, were patented to John D

McLemore, and afterwards were entered by the said James Brown, to-wit: on the 12th day of January, 1854, and were patented to him. That his patent was sent by mail from Oxford to Gen. Jo. Bell, of Jackson, and by the affidavit of said Brown, was proven to have been lost. That the patent of said McLemore was exhibited to your committee and is now in their possession.

Your committee are satisfied that the facts set forth in the memorial of said Brown are true, and they have instructed me to report the accompanying bill for his relief, and recommend to the Senate that it do pass.

On motion of Mr. Howry,

The Senate proceeded to consider

A bill to be entitled,

An act for the relief of James Brown, of Lafayette county.

Which was read the first time, and

Under a suspension of the rules,

Was read the second and third times,

And passed.

Ordered, That the title thereof stand as stated.

Mr. Chrisman offered the following amendment to the bill in relation to the Merchants' and Planters' Insurance Company.

Strike out after the word "borrowing" in the tenth line, the words "or loaning money," and insert "money or loaning gold and silver.

Mr. McLain moved,

To lay the amendment on the table.

Upon which the yeas and nays were called, with the following result.

YEAS—Mr. President, Messrs. Brasier, Buchanan, Davis, Gordon, Howry, McLain, Mason, McCord, Oliver, Simonton, Thames and Wilson—12.

NAYS—Messrs. Catchings, Covington, Chrisman, Enloe, Mims, McRae, Rankin, Thomson and Talliaferro—9.

The motion was therefore carried.

Mr. McLain moved,

A further suspension of the rules, when the bill was read the third time and passed,

The title thereof standing as stated.

And on its passage, the yeas and nays were called, with the following result:

YEAS—Mr. President, Messrs. Buchanan, Catchings, Davis, Gordon, Howry, McLain, Mason, McCord, Simonton, Thames and Wilson—12.

NAYS—Messrs. Brasier, Covington, Chrisman, Enloe, Mims, McRae, Oliver, Rankin, Thomson and Talliaferro—10.

The bill was therefore passed.

Ordered, that the title thereof stand as stated.

The following message was received from the House of Representatives, through their Clerk, Mr. Brougher, viz.

MR. PRESIDENT—

The House of Representatives has passed,

A bill to be entitled,

An act for the construction of the Satartia Lake Duck Prairie Levee, and for other purposes.

Mr. Oliver, from a select committee, made the following report :

MR. PRESIDENT—

The select committee to whom was referred,

A bill to be entitled,

An act to amend an act to be entitled,

An act further to amend an act entitled an act to incorporate the Mississippi and Tennessee Railroad Company, approved March 8th, 1856.

Have had the same under consideration, and a majority of said committee direct said bill to be reported back to the Senate, and that its passage be recommended.

Mr. Mason offered the following minority report from the same committee :

The report of the minority of the select committee to whom was referred,

The House bill entitled,

An act to amend an act to be entitled,

An act further to amend an act entitle an act to incorporate the Mississippi and Tennessee Railroad Company, approved March 8th, 1856.

The undersigned cannot agree with the report of the majority, for various reasons.

1st, Because the privilege asked by the proposed act is at war with the provisions of the original charter of the Mississippi and Tennessee Railroad Company, and contrary to the policy of that Company as evidenced by that charter.

In the second section of the original charter of that Company, the privilege granted by the proposed amendment is conferred upon the Company "in the event that the Mississippi Central Railroad Company shall not complete their road to Canton, in Madison county." Laws of 1852, p. 30, approved October 16, 1852. The Mississippi Central Railroad Company was previously incorporated, viz: on the 10th of March, 1852—Laws of 1852, p. 65—and the object of the corporation was to build a road from Canton to the northern line of the State. It is thus plain that it was neither the intention of the Legislature nor the desire

of the Mississippi and Tennessee Railroad Company that the latter Company should have the right to build its road to Canton except in the single contingency that the Mississippi Central road should not extend *its* line to Canton. It was not the desire of the State that two roads should be built so nearly contiguous. It wanted one road and made provision for that; but it wanted but one road. The true policy of the State, the policy of the two Companies and the real interest of the people required but one road.

By this conditional grant it was the implied agreement of the State and those who were to take stock in the Mississippi Central Railroad, that if the latter in good faith built their road to Canton, they should have no rival; but if they did not so build their road to Canton, they should have a rival. And the State also said to the Mississippi and Tennessee Railroad, and to those who were to take stock in it—you cannot go to Canton, if the Central road does. This was the understanding of both Companies; and this the agreement of the State with them. Those who took stock in the Mississippi Central, did so, relying on the implied faith of the State that they would not be interfered with if they built their road to Canton, and they undertook the work with that understanding. Those who subscribed for stock in the Mississippi and Tennessee road did it with the distinct understanding contained in their very charter, that they would go to Canton only on the one condition that the Central road did not go there.

But the Central road *has* built its road to Canton. Now to permit the proposed amendment, would not be acting in good faith to that Company and its stockholders; while to refuse it will be doing no injustice to the Mississippi and Tennessee road and its stockholders; because they agreed in their charter, in effect, that they only wanted to go to Canton if the other road did not. To give this latter Company *now*, after the Central road is finished to Canton, and millions of money expended in doing it, the right to do what was expressly refused by their original charter, would be as already indicated, at war with the provisions of the original charter of the Mississippi and Tennessee Railroad Company, and contrary to the policy of the State, and of the Company, as evidenced by their charter.

2. The undersigned contends that nothing has occurred since the grant of the charters of these two Companies why the policy of the State towards either should change. The Central road in good faith has built upwards of two hundred miles of road, all within the State of Mississippi, and has spent several millions of dollars, the greater part of it received from its own citizens—a portion of it received from the State itself, and part of it borrowed from foreign creditors upon a mortgage of the property of the Company. The effect of this road is to develop the wealth and resources of the State and build up the towns within its limits

The Mississippi and Tennessee Railroad has, as yet, constructed but little over sixty miles of its road, and has not yet reached Grenada, its terminus on the Central road. It commences at Memphis, in Tennessee, and its tendency is to draw the wealth and trade of your State, from your own towns, to its more extensive and seductive mart. Now, if in 1852, before a single mile of either road was built, it was a correct and statesmanlike provision of the charter of one company that it should not extend its line so as to be the rival of the other, what has since occurred to alter the wisdom of that policy? Is it right now, after the State has invited her own citizens to build a road with the clear implication that it should not have an immediate rival to impair if not destroy its profits, and they have so built it, for the State to allow that rival to be built, and thus to jeopard the value of the investments which her own citizens, relying on the good faith of the State have made? What has occurred to justify such vacillating policy on the part of the State? And what confidence can capitalists, either at home or abroad, put in the recorded policy of the State, if she thus, reckless of the rights of others, changes and directly reverses it without necessity, or good reason shown for it.

3. But the undersigned believes that if there were no legislation on the subject, it would be unjust—1st, to the stockholders of the Mississippi Central road; 2d, to its creditors; 3d, to the people of the State and the very counties through which it is proposed to extend the new road, to allow the proposed amendment. If the suggested route be built, it will greatly impair the value of the stock in the Central road by diverting a part of its local business, and in thus impairing its stock, it will make it less able to make negotiations to meet its liabilities that are daily falling due. Besides, the past history of Railroads has shown that there is nothing so disastrous, first, to the Railroads, and secondly, to the community, as an undue multiplication of Railroads, more than the necessities and commerce of the country require. Its effects on the Railroads are obvious; they are compelled either to become second class and inferior roads and thus jeopard the lives and property of those who use them, or, in order to keep up to a first class, they are compelled to increase the tariff of freights and fare, and thus the burden and loss fall upon the community. The undersigned does not intend to elaborate this point, but the more the impolicy of multiplying Railroads, and especially rival roads, the more obvious it will become. Competition is ruinous the very moment it exceeds the point of profit to the competing roads; and as men will not long carry on a destructive rivalry, they will cease the competition by putting prices on an increased and remunerating basis.

4. But the State has a direct interest in this question. She owns \$200,000 of stock in the Central road, whose ultimate destination is to construct the Gulf and Ship Island road. Capital is

watchful, distrustful, timid. Pass this proposed act, authorize Memphis to build a road to Canton, running for miles parallel to the Central road, and you have struck a blow to the prospects of the Gulf and Ship Island road that its friends can hardly anticipate. And you do this without a shadow of necessity for it. There is no petition here asking it. There is no great popular voice demanding it. The express and recorded policy of the State is against it, and it is believed that that policy will not, without reason or necessity be reversed and set aside by the Senate.

5. While these remarks would apply equally to the act of 1856, were it now proposed to pass that act, they apply with no less force to this amendment, which proposes merely to revive the act of 1856.

On motion of Mr. Howry,

The bill and amendments were laid on the table and made special order for to-morrow 10 o'clock.

On motion of Mr. Howry,

The Senate adjourned till to-morrow morning 9 o'clock.

SATURDAY, Dec. 10, 1859.

The Senate met pursuant to adjournment,

The roll was called.

Quorum present.

The Journal of yesterday was read.

Mr. Ellett, from the committee on the Judiciary, made the following report,

Which was received and agreed to.

MR. PRESIDENT—

The committee on the Judiciary to whom was referred,

A House bill entitled,

An act in relation to appeals and writs of certiorari from Justices Courts,

Have had the same under consideration, have instructed me to report the same back, and to recommend that the same do not pass.

Mr. Ellett, Chairman of the Judiciary Committee, made the following report :

MR. PRESIDENT—

The committee on the Judiciary to whom was referred,

A House bill entitled,

An act to increase the compensation of the tax assessor of Choctaw county.

Have had the same under consideration, and have instructed me to report the same back and recommend that said bill do not pass.

The report was received.

Mr. Davis called for a division of the question.

The yeas and nays were called for upon agreeing to the report, with the following result :

YEAS—Messrs. Buchanan, Catchings, Ellett, Enloe, Harris, Howry, Mims, Mason, McCord, Neill, Oliver, Thomson, Talliaferro and Wilson.—14.

NAYS—Mr. President, Messrs. Brasier, Covington, Gordon, McRae, Rankin, Starke, Simonton, Thames and West—10.

Mr. Neill, from a joint select committee made the following report :

Which was received and agreed to :

MR. PRESIDENT—

The joint select committee to whom assigned the duty of wait on the executive and ascertain whether it was his intention to occupy the Executive Mansion, and if such should be his intention, then to examine into the condition of said Mansion, and ascertain what repairs were necessary and what outfit would be required to place the same in a suitable condition for such occupation, have discharged the duty imposed upon them, and have instructed me to report,

That it is the intention of the Executive to occupy the Mansion, and that he will do so as soon as the Mansion can be rendered comfortable by such additions of furniture of divers sorts as the present condition of the Mansion renders indispensable. The house itself needs no repairs.

The committee have made an estimate of the probable cost of such necessary articles as will be required, and find that about the sum of twelve hundred dollars will be required for that purpose, and have instructed me to report the accompanying bill making the necessary appropriation.

The Senate proceeded to the consideration of the bill entitled,
An act making appropriations for the fitting up and furnishing the Executive Mansion.

Which was read three times under a suspension of the rules, and passed,

The title remaining as stated.

Mr. Thomson, from a select committee, made the following report:

Which, on his motion,

Was received and agreed to.

MR. PRESIDENT—

The select committee to whom was referred,

The petition and counter petition of the citizens of Buena Vista and vicinity in relation to the sale of vinous and spirituous liquors within a certain prescribed boundary,

Have had the subject matter of said petition and counter petition under consideration, and have instructed me to report the annexed bill, and recommend its passage.

The Senate proceeded to the consideration of the bill to be entitled,

An act to refer the legal voters of Buena Vista and vicinity, Chicasaw county, the question of the sale of vinous and spirituous liquors within a certain prescribed boundary,

Which was read three times,

Under a suspension of the rule,

And passed,

Ordered that the title thereof stand as stated.

Mr. Gordon, by leave, introduced,

A bill to be entitled,

An act to transfer certain collections in Natural History therein named,

Which was read twice,

The rule having been suspended,

And referred to a select committee of three.

The President appointed as said committee,

Messrs. Gordon, Howry and Enloe.

Mr. Talliaferro, Chairman of the committee on the Militia, made the following report:

Which was received and agreed to:

MR. PRESIDENT—

The committee on the Militia to whom was referred,

A bill to be entitled,

An act to aid in the erection of a monument to commemorate the services of the 1st and 2d Regiments of the State of Mississippi in the war with Mexico,

Have had the same under consideration, and have instructed me to report the same back to the Senate with an amendment, by way of substitute, and to recommend its passage:

On motion of Mr. Starke,

The Senate proceeded to the consideration of the substitute bill entitled,

An act to aid in building a monument to the memory of those who died or were killed in the 1st and 2d Regiments of Mississippi Rifles in the war with Mexico,

Which was read the first time.

Mr. Ellett offered the following amendment,

Which was adopted.

Amend by inserting after the words "1st Regiment of Mississippi Rifles," the words "the 2d Regiment of Mississippi Volunteers, the separate Battalion of Mississippi Volunteers, and the separate Independent Company of Volunteers from Claiborne county.

Mr. Starke moved,

That the substitute bill, as amended, be read the third time and put upon its passage.

The yeas and nays were taken upon its passage, as follows:

YEAS—Messrs. Buchanan, Catchings, Chrisman, Davis, Ellett, Enloe, Gordon, Harrison, Howry, Mims, Mason, McRae, Neill, Oliver, Quin, Rankin Starke, Thomson, Thames, Talliaferro and West.—20.

NAYS—Messrs. Brasier, Harris, McCord, Simonton, and Wilson—5.

The bill therefore passed,

Ordered, That the title thereof stand as stated.

Mr. Mims, by leave, introduced,

A bill entitled,

An act for the benefit of the Mississippi State Lunatic Asylum.

Which was read twice under a suspension of the rule.

Mr. Thomson offered the following amendment,

Which was adopted:

Strike out 2d, 3d, 4th, 5th and 6th sections of the bill.

On motion of Mr. Neill,

The rule was suspended, the bill read a third time, and passed as amended.

Ordered, that the title thereof stand as stated.

Mr. Howry moved,

That the Senate proceed to the special orders of the day.

The following message was received from the House of Representatives, through their Clerk, Mr. Brougher,

MR. PRESIDENT—

The House Representatives has concurred in the joint resolution fixing the 21st inst, as the day for the adjournment of the Legislature, and have made an amendment thereto.

Strike out all after the word "concurring" and insert, "that the Legislature will take a recess on the 15th day of December,

present until the 16th day of January next, on which day the session will be resumed.

In which the concurrence of the Senate is desired.

The Senate dispensed with the first special order, and

On motion of Mr. Chrisman,

Resolved itself into a committee of the whole on the Gulf and Ship Island Railroad bill,

The Hon. George H. Gordon, of Wilkinson county, in the chair.

After sitting some time, the committee arose, reported progress, and asked leave to sit again this evening at three o'clock.

Which report,

On motion of Mr. Gordon,

Was received and agreed to.

Mr. Quin asked leave of the Senate to record his vote in the affirmative upon the bill making appropriations to erect a monument commemorating the memory of the officers and soldiers who died in the war with Mexico.

On motion of Mr. Howry,

The Senate adjourned until 3 o'clock P. M.

THREE O'CLOCK P. M.

The Senate met pursuant to adjournment.

On motion of Mr. Davis,

The Senate proceeded to the consideration of the joint resolution fixing the day of adjournment.

The House amendment to the Senate resolution fixing the 21st inst. as the day,

Was read.

Mr. Simonton proposed to amend by striking out the 15th, and inserting the 10th instant.

Mr. Oliver moved,

To disagree with the House amendment.

Mr. Simonton withdrew his amendment.

Mr. Neill moved,

To concur in the House amendment.

Upon which motion the yeas and nays were called.

YEAS—Mr. President, Messrs. Brasier, Buchanan, Covington, Davis, Enloe, Howry, Mims, Mason, McRae, Neill, Starke, Simonton, Thomson, Talliaferro, West and Wilson.—17.

NAYS—Messrs. Catchings, Chrisman, Gordon, Harrison, Harris, McCord, Oliver, Quin, Rankin, and Thames—10.

The House amendments were therefore concurred in.

Mr. Starke asked and obtained leave to call from the table,
A bill entitled,

An act to amend an act entitled an act to establish and incorporate the town of Yazoo City, approved March 3d, 1846;

Which was read the third time, and passed,

The word "servant" in the first section having been,

On motion of Mr. Starke,

Stricken out.

Ordered, that the title thereof stand as stated.

Mr. Starke also called from the table,

A House bill entitled,

A bill to authorize the corporate limits of Yazoo city to grant license for the sale of vinous and spirituous liquors.

Which was read the third time, and passed.

The title thereof standing as stated.

Mr. Howry asked obtained leave to introduce,

A bill entitled,

An act to repeal a part of the one hundred and tenth article of the 15th section of the sixtieth chapter of the Revised Code.

Was read twice under a suspension of the rule, and referred to the Judiciary committee.

On motion of Mr. Catchings,

The Senate resolved itself into a committee of the whole,

Mr. Neill, of Carroll was called to the chair.

Pending the consideration of the committee of the whole on the Gulf and Ship Island Railroad bill,

The following message was received from the House of Representatives, through their Clerk, Mr. Brougher,

MR. PRESIDENT—

The House of Representatives has passed,

Bills of the following titles:

An act for the benefit of Joseph McGuire, of Bolivar county;

An act to change the time of holding the Probate Courts in the county of Holmes.

An act for the benefit of the Sheriffs of Hinds county.

An act to reduce into one the several acts incorporating the town of Okolona, in the county of Chickasaw.

An act to change the time of holding the Circuit Court of DeSoto county.

An act to more fully secure the Three Per Cent. Fund of Calhoun county, and other purposes.

An act for the relief of J. F. Wright.

An act to change the time of holding the Probate Courts of Jasper and Jackson counties.

An act to amend the Charter of the town of Kosciusko, in the county of Attala.

An act to exempt the property of Amite Female Seminary from taxation.

An act to amend an act entitled,

An act to provide for and establish Common Schools in the counties of Hinds, Holmes, Tunica, Jefferson, Wilkinson, Lawrence and Amite, approved March 4th, 1848, so far as the same relates to the county of Amite.

An act to authorize a re-assessment of the lands lying and being in the county of Hinds, State of Mississippi.

An act in relation to Trading Boats, and other water craft in the county of Issaquena in this State.

The House of Representatives has adopted the following joint resolution in which the concurrence of the Senate is desired :

Resolved, (the Senate concurring,) That the two Houses meet in joint convention on Wednesday, the 14th inst., at 11 o'clock A. M., for the purpose of electing a Superintendent and Clerk of the Penitentiary.

The Senate, in committee of the whole, arose and reported the bill back to the Senate, and recommend that it do pass as amended.

On motion of Mr. Starke,

The report was received and agreed to.

On motion of Mr. Chrisman,

The Senate proceeded to the consideration of the bill.

The amendments reported by the committee,

Were adopted.

The first amendment was introduced by Mr. West.

Amend section 1st by striking out three hundred thousand where it occurs, and insert five hundred thousand.

Mr. Davis offered the following :

After the words (in section 1st) five hundred thousand dollars reliable subscription, add "and when one hundred thousand dollars of such stock subscribed shall be paid in."

Mr. Starke moved,

To lay the bill on the table, 200 copies be printed for the use of the Legislature, and that it be made the special order for Tuesday next, at 10 o'clock.

Upon which the yeas and nays were called for, when it was decided in the affirmative.

Mr. Starke offered the following resolution,

Which was adopted :

Resolved, That the Senate proceed to take the final vote on the passage of the bill in relation to the Gulf and Ship Island Railroad at 12 o'clock, noon on Tuesday next.

Mr. Wilson offered the following joint resolution,

Which was read once, and

Referred to the committee on the Judiciary.

Joint resolution granting leave of absence to Hon. B. R. Webb, Secretary of State elect of the State of Mississippi—

Resolved, (the House of Representatives concurring) That the Hon. B. R. Webb, the Secretary of State elect of the State of Mississippi, have leave of absence for the space of four months in the year 1860, and for four months in the year 1861; *Provided*, That such absence shall not interfere with a proper discharge of the duties pertaining to the office of Secretary of State.

Mr. Oliver called up,

A House bill to be entitled,

An act to change the time of holding the Circuit Court of DeSoto county,

Which was read, and

Under a suspension of the rules, was read the second and third times, and passed.

Ordered, That the title thereof stand as stated.

Mr. Drane introduced,

A bill to be entitled,

An act to authorize and require the Board of Police of Choctaw county to hold an election in certain townships in said county, and for the purposes expressed in this act,

Which was read once, and

Under a suspension of the rules, was read the second and third times.

Mr. Covington offered the following amendments,

Which were adopted.

Amend title by making Board, in the 1st line, read Boards.

After "Choctaw" add "and Winston."

Change "county" to "counties."

Add after "townships;" "and localities."

Mr. Harrison introduced,

The following joint resolution:

Resolved, By the Senate, (the House of Representatives concurring,) That the State Treasurer be required to furnish forthwith his annual report, or assign some reason for withholding it.

Which was adopted:

Mr. Simonton moved,

That the Senate adjourn until Monday morning 9 o'clock.

MONDAY, Dec. 12, 1859.

The Senate met pursuant to adjournment.

The roll was called,

The Journal of Saturday was read and approved.

Mr. Ellatt presented a petition,

Which was

Referred to the committee on Propositions and Grievances,
Without reading.

Mr. Oliver, from a select committee, made the following report :

Which was received and agreed to.

And 200 copies ordered to be printed for the use of the Legislature.

MR. PRESIDENT:—The Committee on the Penitentiary to whom was referred so much of the Governor's Message, with the accompanying documents, as relates to that Institution, have discharged the duty assigned them, and ask leave to make the following report, for the consideration and adoption of the Senate :

The Committee on the Penitentiary proceeded, in the discharge of their duties, to examine the books and vouchers, and found them to correspond. They also examined the machinery and fixtures in the manufacturing department, and found all in good order, and operating well. Some portion of the machinery is not yet set up, and a portion that has been purchased, has not yet arrived, but is daily expected. The factory building is a good one and completed in all its parts, and as soon as the looms arrive the whole of the machinery will be put in full and complete operation, and will, probably, require one thousand bales of cotton per annum to keep it fully employed, from which, allowing a reasonable deduction for loss, say 12½ per cent., there ought to be manufactured, Osnabergs and yarns of the value of \$82,685 50, estimating the bale to weigh 450 lbs., and the cotton to cost 10½ cents per pound, the raw material would amount to \$47,250 00. showing a gross profit of \$35,435 50. The estimated profit in Wool Factory \$1,080. Wood and Shoe Shop \$4,000. Making an aggregate of gross profit of \$40,515 50.

The expenditures for the next fiscal year, as estimated by the Committee, will be for salaries of officers and guards, \$11,255 61; for provisions, \$6,045 68; conveying prisoners to Penitentiary, \$1,546 64, and forage and fuel, \$3,739 76; and should the Legislature continue the work on the artesian well, there will be an additional charge for wages of engineer, of at least \$1,000. Making in the aggregate, \$23,587 69, which taken from the gross profits, will leave a balance of profit in favor of the Institution of \$16,927 81.

The prison building is nearly completed. There is some four or five days brick work to be done on the gables, the roof is framed, and the Slate prepared, and ready to put on the roof, as soon as the brick work and rafters are put up, the cells are to plaster, most of which work can be done by convict labor. The prison,

when finished, will have two hundred cells, fifty of which are new. It will probably require an appropriation from the Treasury of two thousand dollars to complete the prison building, and pay freight on Machinery that has not yet arrived, there was appropriated from the Treasury, thirty thousand dollars, for the purchase of machinery, of which has been expended, \$28,614 40, as per vouchers, leaving an unexpended balance, in the hands of Superintendent, of \$1,385,60, and there was appropriated for new cells in prison building, the sum of \$5,000, of which there has been expended, the sum of \$3,368 50, as per voucher, leaving a balance of \$1,631 50; which sum added to the balance in hand for machinery, amounts to \$3,017 10

The committee have spent much time in a careful examination of the report of the Superintendent of the present year, they have compared it with the report of the last, and several previous years, and with the books and vouchers in the Clerk and Superintendent's offices. They find by said examination the following state of facts, viz:

<i>Dr.</i>	
Amount paid for Machinery.....	\$28,614 40
“ drawn from Treasury.....	25,781 71
“ “ “ “ for Salaries.....	11,255 61
Stock on hand last year.....	14,853 61
Making an aggregate of.....	\$80,508 33
<i>Cr.</i>	
The credits are, cash for Machinery.....	\$28,614 40
Cash paid into Treasury.....	1,198 45
Stock on hand.....	25,687 68
Putting up Machinery.....	4,277 85
New cell building.....	2,140 50
Increase of materials in shop.....	1,483 45
Making an aggregate of credits, of.....	63,402 33
Which, taken from the above, leaves.....	\$17,106 00

as the cost to the State of the last year's operations of the Penitentiary; the Committee would further state, that during the last year, many of the convicts could not be regularly employed at profitable labor for want of the necessary machinery to keep them at work; they were consequently confined to their cells in idleness, and at expense, until the machinery was put up and ready for operations, which will account for the apparently small increase of manufactured articles.

Your committee have been instructed by a resolution of the Se.

nate and House of Representatives, to inquire into the expediency of "leasing or renting out the State Penitentiary, and that they report by bill, or otherwise." The committee in reply, ask leave to state that, in their opinion it would be inexpedient to lease, or rent, the Penitentiary at this time.

Your committee have also had under consideration, a resolution of the Senate, instructing them to inquire into the "expediency of establishing depots in different parts of the State of Mississippi, for the sale of cotton and woollen fabrics, the produce of the labor of said Institution, and that they report by bill, or otherwise." In answer to that resolution, the committee report the following resolution:

Resolved, That in the opinion of the committee, the Superintendent of the Penitentiary should in the disposition and sale of the manufactured cotton and woollen fabrics, prefer our own domestic, to foreign markets, so that our citizens may enjoy the advantages of purchasing those fabrics which are manufactured cheaper by State convict labor, than in other manufacturing establishments or foreign markets, and the committee recommend to the Superintendent of the Penitentiary, the establishment of such depots in this State, on the best and most advantageous terms for the Institution, at such places, in every section of the State as are accessible, both on account of transportation and cheapness of shipment.

Your committee have also been instructed by a resolution of the Senate, to inquire into the expediency of so changing the present law, as to require the Superintendent to give his entire attention to the business inside the prison, and the clerk to be the salesman of the goods manufactured in the Penitentiary, so as to separate the executive from the financial department. The committee has not yet had time to prepare the bill for that purpose, and ask further time to prepare and perfect it, in accordance with the instructions of the Senate.

All of which is respectfully submitted.

SIMEON OLIVER,
Chairman Senate Committee.
H. J. THOMAS,
Chairman House Committee.

Mr. Huie, from the committee on Finance, made the following report,

Which was received and agreed to.

MR. PRESIDENT—

The committee on Finance to whom was referred,

The bill for the amendment of the Revenue Laws of this State

Have had the same under consideration and instructed me to report the said bill back to the Senate, and to recommend its passage.

All of which is respectfully submitted.

The Senate proceeded to the consideration of the bill entitled,

An act to amend the revenue laws of this State.

Which was read the third time, and passed,

Ordered, that the title thereof stand as stated,

Also,

A House bill entitled,

An act to amend the Revenue Laws of this State.

Mr. Ellett, offered the following resolution,

Which was adopted.

Resolved, That the Governor be requested to transmit to the Senate a statement of the number and description of arms and military accoutrements received by this State from the General Government in the last ten years; and, also, that he be requested to inform the Senate what quota of arms has been in that time set apart to this State, and transmitted to it by the proper department.

On motion of Mr. Starke,

The Senate adjourned until to-morrow morning at 9 o'clock.

TUESDAY, Dec. 13, 1859.

The Senate met pursuant to adjournment.

The Journal of yesterday was read and approved.

Mr. Ellett asked and obtained leave to introduce,

A bill entitled,

An act to authorize the building a jail in the town of Rodney, and for other purposes,

Was read three times under a suspension of the rule, and passed,

The title standing as stated.

A House bill entitled,

An act for the benefit of Joseph McGuire, of Bolivar county,

Was read three times under a suspension of the rule and passed,

The title standing as stated.

A House bill entitled,

An act to change the time of holding the Probate Courts in the county of Holmes,

Was read the third time and passed,

The title standing as stated.

A House bill entitled,

An act for the benefit of the Sheriff of Hinds county,
Was read the once.

A House bill entitled,

An act to reduce into one the several acts incorporating the town of Oakalona, in the county of Chickasaw,

Was read twice under a suspension of the rule,

And referred to a select committee of three.

The President appointed as said committee,

Messrs. Neill, Harrison and Thomson.

A House bill entitled,

An act more fully to secure the three per cent. fund of Calhoun county, and for other purposes,

Was read three times under a suspension of the rule and passed,

The title standing as stated.

A House bill entitled,

An act for the relief of G. F. Wright,

Was read three times under a suspension of the rule, and passed,

The title thereof standing as stated.

Mr. Starke introduced,

The report of the Hon. S. L. Hussey, State Treasurer, and on his motion,

200 copies were ordered to be printed for the use of the Legislature.

Special orders were called for,

A bill entitled,

An act to provide for the transfer of the stock of the State of Mississippi in the New Orleans, Jackson and Great Northern Railroad, the Mississippi Central Railroad, and the Mobile and Ohio Railroad, to the Gulf and Ship Island Railroad Company,

Which was read the third time,

Mr. Chrisman moved to fill the blank in the 12th line with the word "first."

On motion of Mr. Neill,

The word "and" in the first section, 6th line, was stricken out.

The bill was then put upon its passage, and passed without further discussion or amendment,

The title thereof standing as stated.

Mr. Starke introduced,

A bill to be entitled,

An act for the relief of John H. Sutton, of Attala county,

Which was read three times under a suspension of the rule, and passed,

The title standing as stated.

Mr. Buchanan, from the committee on Propositions and Grievances, made the following report,

Which was received and agreed to.

MR. PRESIDENT :—

The committee on Propositions and Grievances to whom was referred a bill and petition for the relief of John M. B. Powell,

Have had the same under consideration and have instructed me to report the bill back to the Senate and recommend its passage.

On motion of Mr. Harrison,

The Senate adjourned until 3 o'clock P. M.

THREE O'CLOCK P. M.

The Senate met pursuant to adjournment.

Mr. Quin asked and obtained leave to call from the table,

A bill entitled,

An act in relation to the swamp lands of Smith county,

Which was read the third time and passed,

The title standing as stated.

Mr. Buchanan made the following report,

Which was received and agreed to.

MR. PRESIDENT :—

The committee on Propositions and Grievances to whom was referred a bill for the relief of Johnson M. Hooper,

Have had the same under consideration, and have instructed me to report the same back and recommend its passage.

On motion of Mr. Buchanan,

The Senate proceeded to the consideration of said bill.

It was read the third time and passed,

The title thereof remaining as stated.

Mr. Buchanan made the following report,

Which was received and agreed to.

MR. PRESIDENT—

The committee on Propositions and Grievances to whom was referred the proposition of R. C. Love, in relation to a bar and tenpin ally,

Have had the same under consideration and beg leave to report adversely thereto.

The regular orders were resumed,

A House bill entitled,

An act to change the time of holding the Probate Courts of Jasper and Jackson counties,

Was read three times under a suspension of the rule, and passed,

The title standing as stated.

A House bill entitled,

An act in relation to trading boats and other water craft, in the county of Issaquena, in this State,

Which was read three times under a suspension of the rule and passed,

The title standing as stated.

A House bill entitled,

An act to amend the Charter of the town of Kosciusko, in the county of Attala,

Was read three times under a suspension of the rule, and passed,

The title standing as stated.

Mr. Davis, Chairman of the committee on Enrolled Bills, offered the following report:

MR. PRESIDENT—

The committee on Enrolled Bills have examined the following bills:

An act to extend the corporate limits of the town of Pass Christian, in the county of Harrison, and for other purposes.

An act to punish negroes and mulattoes for rape, and attempt to commit rape.

An act for the relief of James M. Bradley, of Perry county.

An act for the relief of George Torrey.

An act to authorize the Board of Police of Lauderdale county to dispose of the money heretofore collected to build a jail in said county.

An act for the substitution of papers lost or destroyed in the Circuit Court of Tallahatchie county.

An act to amend an act entitled,

An act in relation to the compensation of the Reporter of the Decisions of the High Court of Errors and Appeals of this State.

An act to prohibit the sale of vinous and spiritous liquors in the town of Pontotoc, in the county of Pontotoc, and for other purposes.

A bill entitled,

An act to incorporate the Monticello Railroad Company,

And report that they find the same correctly Enrolled.

Mr. McCord, from a committee of conference, made the following report,

Which was received and agreed to.

MR. PRESIDENT—

The committee of conference on the disagreeing votes of the two Houses on the bill

To be entitled,

An act to amend an act to secure the interest on the school fund belonging to the Chickasaw cession and for other purposes, so far as the same relates to the counties of Tishomingo and Tappah, and other counties,

Have agreed to recommend that the Senate recede from its amendment to said bill, to-wit:

Strike out in the fourth line after the enacting clause, "six and twenty-one" and insert eight and eighteen."

The committee have agreed to so modify said amendment as to read six and eighteen, in which the concurrence of the Senate is requested.

On motion of Mr. McCord,

The Senate took up the House amendments to

A Senate bill entitled,

An act to amend the Charter of the corporation of the town of Corinth in the county of Tishomingo.

The House amendments thereto, to-wit:

Strike out the 26th section.

Also, amend by adding an additional section as follows:

SEC. 28. *Be it further enacted*, That all laws or parts of laws now in force that come in conflict with this act, be and the same are hereby repealed, and that this act take effect and be in force from and after its passage,

Were read and concurred in by the Senate.

The following message was received from the House of Representatives, through their Clerk, Mr. Brougher.

MR. PRESIDENT—

The House of Representatives has passed Senate bills of the following titles:

An act in relation to the Circuit and Chancery Courts of Tishomingo county.

An act to prohibit the sale of vinous and spirituous liquors in town of Pontotoc, in the county of Pontotoc, and for other purposes.

An act to authorize the Board of Police of Lauderdale county to dispose of the money heretofore collected to build a Jail in said county.

The House of Representatives has acceded to the request of the Senate for the appointment of a committee of conference of the two Houses on the

House bill to be entitled,

An act to amend an act to secure the interest on the school fund belonging to the Chickasaw Cession, and for other purposes, so far as the same relates to the counties of Tishomingo, Tippah, Panola, Lafayette and Marshall.

The Speaker has appointed as a committee of conference on the part of the House,

Messrs. Suratt, McDonald, Withers, Rogers and Holmes.

The House of Representatives has passed bills originating in the House of the following titles:

An act for the relief of A. Mizell.

An act to revive an act entitled an act to incorporate the town of Biloxi, approved Feb. 18th, 1850, and also to amend the same.

An act to amend the common school laws of Pike county.

An act to repeal several parts of acts relative to the sale of vinous and spiritous liquors, so far as the same may apply to the county of Smith.

An act to prevent the sale and distribution of vinous and spirituous and other intoxicating liquors in the county of Copiah.

An act to regulate the time of returning executions and other process for the collection of money, for the county of Yallobusha, and for other purposes.

An act to define more accurately the boundaries between the counties of Adams and Wilkinson.

An act conferring authority upon the Board of Police of Warren county to levy a tax in certain cases.

An act in relation to the Probate Court of Warren county.

An act to repeal an act passed and approved 19th October, 1852, to legalize the assessment of taxes in Tunica county for the year 1852, and for other purposes.

An act to authorize the Board of Police of Tippah county to invest the three per cent. fund due said county, in the Ripley Railroad.

An act to secure and dispose of the fund arising from the sale of the swamp and overflowed lands in the county of Scott.

An act to provide for and establish common schools in the county of Choctaw.

A bill for the relief of John A. Martin, of Choctaw county.

An act for the relief of John C. S. Kinney.

An act to amend an act entitled an act to amend the school laws of Marion county, approved Nov. 19th, 1859.

An act for the relief of Joanna V. Cannon, wife of David S. Cannon.

Mr. Ellett called up,

A bill entitled,

An act to extend to slaves the privilege of bail and habeas corpus,

Which was put upon its third reading and passed,

The title standing as stated.

A House bill entitled,

An act for the relief of Joanna V. Cannon, wife of David S. Cannon,

Was read three times under a suspension of the rule and passed,

The title thereof standing as stated.

A House bill entitled,

An act for the benefit of township five, range one East, in the county of Rankin,

Which was read three times under a suspension of the rule, and passed,

The title standing as stated.

A House bill entitled,

An act for the relief of Stephen F. Power.

Which was read twice, and referred to the committee on Finance.

The following message was received from the House of Representatives, through their Clerk, Mr. Brougher,

MR. PRESIDENT:—

The House of Representatives has passed a bill of the following title:

An act to make provision for the arming of the volunteer militia.

Mr. Neill called up,

House resolution appointing Wednesday, the 14th inst., as the day for the two branches of the Legislature to meet in joint convention for the purpose of electing a Superintendent and Clerk of the Penitentiary.

On motion of Mr. Neill,

The Senate concurred in the House resolution.

Mr. Oliver moved to call up,

A bill entitled,

An act to exempt from execution and sale slaves, in all cases where the plaintiff, or the person for whose use the money is sought to be collected, denies the right of property in slaves,

The bill was read,

And on motion of Mr. Chrisman,

Its further consideration was postponed till the 16th of January next.

A House bill entitled,

An act to amend an act entitled,

An act to provide for and establish Common Schools in the counties of Hinds, Holmes, Tunica, Jefferson, Wilkinson, Lawrence and Amite, approved March 4th, 1848, so far as the same relates to the county of Amite,

Was read three times under a suspension of the rule and passed,

The title standing as stated.

A House bill to be entitled,

An act to exempt the property of Amite Female Seminary from taxation,

Was read twice under a suspension of the rule, and

Referred to the committee on the Judiciary.

A House bill entitled,

An act for the relief of S. Richmond.

Was read once and passed over.

A House bill entitled,
An act to establish in the county of Warren, an Inferior Court
of criminal jurisdiction.

Was read three times under a suspension of the rule, and
passed,

The title standing as stated.

On motion of Mr. Talliaferro,

The Senate took up,

House bill entitled,

An act to make provisions for the arming of the Volunteer
Militia,

Which was read.

Mr. Wilsen moved,

To postpone the bill till the 17th of January next, and that it
be made the special order for 11 o'clock on that day.

Which was lost.

Mr. West moved,

To postpone the further consideration of the bill till to-morrow
11 o'clock.

Mr. Starke moved,

To lay that motion on the table,

Which passed.

The yeas and nays were called for upon the passage of the
bill, with the following result :

YEAS—Mr. President, Messrs. Buck, Buchanan, Covington,
Chrisman, Davis, Ellett, Enloe, Gordon, Harrison, Harris,
Howry, McLain, Mims, McCord, Neill, Oliver, Rankin, Starke,
Thames and Talliaferro.—23.

NAYS—Messrs. Simonton, West and Wilson.—3.

The bill therefore passed,

With its title standing as stated.

On motion of Mr. Buck,

The Senate adjourned until to-morrow morning 9 o'clock.

WEDNESDAY, Dec. 14, 1859.

The Senate met pursuant to adjournment,

The Journal of yesterday was read and approved.

Mr. Rankin asked leave of absence for the Senator from
Rankin.

Mr. Oliver, by leave, called up,

A House bill to be entitled,

An act to provide for the sale of the lands held by the State as delinquent for taxes in the counties of Tunica, Sunflower and Coahoma,

Which was read twice, and

On motion of Mr. Drane,

Referred to the committee on the Judiciary.

Mr. Davis from the committee on Enrolled Bills, made the following report,

MR. PRESIDENT—

The committee on Enrolled Bills have examined the following bills :

An act in relation to the Circuit Courts of Tishomingo county.

An act for the relief of the estate of A. M. Stratton, deceased,

And would report that they find the same correctly enrolled.

Mr. Ellett, from the committee on the Judiciary, made the following report :

MR. PRESIDENT—

The committee on the Judiciary, to whom was referred,

A bill entitled,

An act for the relief of William Webster, a free man of color.

Have had the same under consideration, and instructed me to report the same back, and to recommend its passage.

The report was received and agreed to, and

On motion,

The Senate proceeded to consider the bill.

It was read the third time and passed,

The title standing as stated.

Mr. Davis, from the committee on the Judiciary, made the following report :

MR. PRESIDENT—

The committee on the Judiciary to whom was referred,

The bill to be entitled,

An act to authorize the Board of Police of Attala county to appropriate certain funds in the construction of a Court-House in said county,

Have had the same under consideration, and have made an amendment thereto by way of further proviso, and have instructed me to report the same back to the Senate with said amendment, and recommend that the bill, with the amendment, be passed.

On motion of Mr. Davis,

The report was received and agreed to.

The Senate proceeded to consider the bill,

Which was read,

Pending the consideration of this bill,

The following message was received from the House of Representatives, through their Clerk, Mr. Brougher,

MR. PRESIDENT—

The House of Representatives has concurred in the joint resolution of the Senate, in relation to the State Treasurer.

Has passed,

A Senate bill entitled,

An act to change the time of holding the Circuit Court of Scott county.

Also,

A House bill entitled,

An act to prevent the sale of vinous, spirituous or intoxicating liquors within one mile of Bethlehem Post Office, in Marshall county,

Also, Senate bills entitled,

An act for the relief of the estate of Lott W. Ellis, deceased.

An act to extend to slaves the privilege of bail and habeas corpus.

I am instructed by the House of Representatives to inform the Senate that the Hall of the House is now in readiness for their reception, to the end that the two Houses go into joint convention for the purpose of electing a Superintendent and Clerk of the Penitentiary.

On motion of Mr. Wilson,

The Senate repaired to the Hall of the House of Representatives for the purpose indicated in the above message.

The President of the Senate announced the object of the joint assemblage of the two Houses to be the election of a Superintendent and Clerk of the Penitentiary.

Mr. Oliver, of the Senate, moved that the election for Superintendent be conducted *viva voce*.

Which motion was lost.

On motion of Mr. Smiley, of the House,

The election was conducted by ballot.

Mr. Oliver, of the Senate,

Placed in nomination the name of Mr. A. M. Hardin,

Mr. Suratt, of the House,

Nominated D. M. Rogers, of Tippah.

Mr. Henley, of the House,

Nominated E. P. Russell, of Hinds.

Mr. Buchanan, of the Senate, moved the appointment of two tellers.

The President appointed as tellers,

Mr. Buchanan, of the Senate, and Mr. Barksdale, of the House.

The first ballot resulted as follows:

A. M. Hardin received.....	65 votes.
D. M. Rogers	20 "
E. P. Russell	25 "

Whole number of votes.....	110 "
Necessary to a choice.....	56 "

Mr. Hardin, having received a majority of all the votes cast, was declared, by the President of the Senate, duly and constitutionally elected Superintendent of the Penitentiary.

Mr. Oliver, of the Senate, moved,

That the two Houses proceed to the election of the Clerk of the Penitentiary *viva voce*.

Which was carried.

Mr. Oliver placed in nomination the name of H. H. Smyth.

On motion of Mr. Ellett,

Of the Senate,

Mr. Smyth was elected Clerk of the Penitentiary by acclamation.

The President of the Senate announced the object of the joint assemblage as having been accomplished, and directed the Senate to repair to its chambers.

Which it accordingly did.

The Senate resumed the consideration of the bill entitled,

An act to authorize the Board of Police of Attala county to appropriate certain funds to the construction of a Court House in said county.

Mr. West moved,

To lay the amendments reported by the Judiciary committee on the table,

Which motion was adopted.

Mr. Gordon moved,

The indefinite postponement of the whole bill,

But his motion was withdrawn on the request of Mr. West,

Who proposed the following amendment to the amendments of the select committee.

And provided that it shall be the duty of the said Board of Police to keep an account or record of the sum or sums so borrowed, with the date or dates of such loans.

Mr. Gordon offered an amendment to Mr. West's amendment, as follows:

Amen! the amendment by inserting at the end of said amendment the following:

And that said Board of Police shall also file an account of the amount of said loan with the date at which it was made in the office of the Treasurer of the State, there to be recorded in a book to be kept by him.

On motion of Mr. West,

The amendment was laid on the table.

Mr. Buck offered the following substitute for Mr. West's amendment to the amendment of the select committee,

Which was accepted,

Provided, That it shall be the duty of the Board of Police to enter upon their minutes a statement or record of such loan, and that such entry bind said Board to refund said amount whenever it may be deemed proper, or desired by the proper tribunal.

The yeas and nays were called for upon the passage of the bill with the following result :

YEAS—Mr. President, Messrs. Buck, Braiser, Buchanan, Covington, Davis, Ellett, Enloe, Harrison, Harris, Haie, McLain, Mason, McCord, McRae, Neill, Oliver, Rankin, Starke, Simonton, Thames, Talliaferro and West—23.

NAYS—Messrs. Chrisman, and Gordon—2.

The bill was therefore passed, as amended.

Mr. West moved,

To amend the title by striking out all after the word "county," and inserting the following :

To borrow the Swamp Land Fund of said county for the purpose of building a Court House.

Which amendment to the title was adopted.

The following message was received from his Excellency the Governor, through his Private Secretary, Mr. Campbell,

EXECUTIVE OFFICE, }
City of Jackson, Miss., Dec. 14, 1859. }

MR. PRESIDENT:—

The Governor did, on the 13th instant, sign and approve Senate bills entitled,

An act to punish negroes and mulattoes for rape and attempt to commit a rape,

An act for the relief of George Torrey.

An act to authorize the Board of Police of Lauderdale county to dispose of the money heretofore collected to build a jail in said county.

An act for the relief of J. M. Bradley of Perry county.

An act for the substitution of papers lost or destroyed in the Circuit Court of Tallahatchie county.

An act to prohibit the sale of vinous and spirituous liquors in the town of Pontotoc, in the county of Pontotoc, and for other purposes.

An act to extend the corporate limits of the town of Pass Christian, in the county of Harrison, and for other purposes,

Mr. Huie, by leave, introduced the following report,
Which was received and agreed to.

MR. PRESIDENT—

The committee on Finance to whom was referred,
A bill for the relief of Stephen F. Power.

Have had the same under their consideration, and after due consideration have instructed me to report the same back to the without amendment and to recommend the passage thereof.

All of which is respectfully submitted.

On motion of Mr. Huie,

The Senate proceed to the consideration of the bill,

Which was read the first time, and passed,

Ordered that the title thereof stand as stated.

Mr. Davis presented the petition of W. R. Stuart, and on his motion, it was

Referred to the committee on Claims,

Without reading.

Mr. Mason, by leave, called up,

A House bill to be entitled,

An act to prevent the sale of vinous and spirituous or intoxicating liquors within one mile of Bethlehem Postoffice, in Marshall county,

Was read three times under a suspension of the rule, and passed,

The title remaining as stated.

Mr. Mims asked leave to make the following report :

MR. PRESIDENT—

Your committee, appointed to examine the Auditor's Office, have in conjunction with a similar committee on the part of the House of Representatives, discharged that duty, and request me to report :

That they found the books, papers and vouchers in said office correct and satisfactory ; and deem it but justice to remark that the accuracy of the books, as well as their unsurpassed neatness and the general system and order in the filing of the papers and vouchers, as well as that vigilant supervision that has marked the auditing of all claims, reflect the highest credit on the present worthy and efficient Auditor, the Hon Madison McAfee, and his accomplished deputies, Col. W. H. Brown and Thos. T. Swan, Esq.

They have noted in the course of their examination the crowded state of the office from the constantly accumulating books and papers filed there, and the great necessity of additional room, and recommend the addition of the room adjoining, now occupied as consultation room by the Judges of the High Court, this being the only one that can be conveniently added, while they think some

other room can be appropriated to the Judges equally as desirable and convenient to them.

They have noticed further, that it requires two deputies of the best skill to perform properly the labor required in the office—the present salary allowed is unsufficient to obtain them—the consequence is the Auditor is now compelled to pay the deficit, amounting to \$600, out of his own salary. They therefore recommend that each deputy be allowed \$1200 per annum, a reasonable sum, and one actually required to procure proper assistance to the Auditor in discharging his duties.

They cannot close their report without expressing their thanks to the Auditor and his Deputies for the facilities afforded and the courtesy shown them in conducting this examination.

Mr. Covington asked and obtained leave of absence for himself.

Mr. McCord, by leave, called up,

A Senate bill entitled,

An act to extend the time of holding the Police Court of Tishomingo county,

With a House Amendment thereto.

The House amendment, to-wit:

Strike out in 3d line from bottom, the words "longer than three," and insert the word "six"—and insert the words "and no longer" after the word "days" in same line,

Was concurred in.

Mr. Huie asked leave to introduce the following report,

Which was received and agreed to:

MR. PRESIDENT—

The committee on Finance to whom was referred,

A bill to repeal section 14, article 65, of the Code, as to the county of Leake.

Have had the same under advisement, and after due and proper consideration, have come to the conclusion that the present law, requiring the payment of \$200 in order to procure a license to exercise the office of Broker operates unequally, as the business of a large majority of the counties will not justify the payment of so large a sum of money for the privilege of doing the business of Brokerage; hence, said committee have directed me to report a general bill in lieu of said bill above mentioned, and to recommend the passage of such general bill.

All of which is respectfully submitted.

On motion of Mr. Huie,

The bill entitled,

A bill as to brokers,

Was considered.

It was read twice under a suspension of the rule,

And made the special order for January 20

Mr. Buck called up,

House bill entitled,

An act to regulate the time of returning executions and other process for the collection of money for the county of Yallobusha, and for other purposes.

Which was read twice, and

Referred to the Judiciary Committee.

Mr. Buck offered the following resolution :

Resolved. (the House concurring,) that when the Senate adjourns to-day that the two Houses adjourn until the 16th of January next.

On motion of Mr. West,

The resolution was laid on the table.

Mr. West called up,

A bill entitled,

An act to amend an act to be entitled an act further to amend an act entitled an act to incorporate the Mississippi and Tennessee Railroad Company, approved March 8th, 1856.

Which was read, and

On motion of Mr. West,

Was postponed till the 16th day of January, and made the special order for that day, at 11 o'clock.

On motion of Mr. Wilson,

The Senate adjourned until 3 o'clock P. M.

THREE O'CLOCK P. M.

The Senate met pursuant to adjournment.

The special order for 3 o'clock having been disposed of, the Senate took up House messages.

A bill entitled,

An act to prevent the sale and distribution of vino is and spirituous and other intoxicating liquors within two miles of town of Mt. Carmel,

Was read, and

On motion of Mr. Rankin,

Was laid on the table.

A House bill entitled,

An act to secure and dispose of the fund arising from the sale of the swamp and overflowed lands in the county of Scott,

Was read three times under a suspension of the rule, and passed,

The title standing as stated.

Mr. McRae, by leave called up,

A House bill entitled,

An act to revive an act entitled an act to incorporate the town of Biloxi, approved February 18th, 1850.

And also,

To amend the same.

Which was read three times under a suspension of the rule and passed,

The title standing as stated.

A House bill entitled,

An act to amend an act entitled an act to amend the common school laws of Marion county, approved Nov. 19, 1857.

Was read three times under a suspension of the rule, and passed,

The title standing as stated.

A House bill entitled,

An act for the relief of John C. Skinner,

Was read three times under a suspension of the rule, and passed,

The title thereof standing as stated.

A House bill entitled.

A bill for the relief of John A. Martin, of Oktibbeha county,

Was read three times under a suspension of the rule and passed,

The title standing as stated.

A House bill entitled,

An act to provide for and establish common schools in the county of Choctaw.

Was read three times under a suspension of the rule, and passed,

The title standing as stated.

A House bill entitled,

An act to repeal several parts of acts relative to the sale of vinous and spiritous liquors, so far as the same may apply to the county of Smith.

Was read once, and

On motion of Mr. Wilson,

Was laid on the table.

A House bill entitled,

An act to authorize the Board of Police of Tippah county to invest the three per cent. fund due said county, in the Ripley Railroad.

Was read twice under a suspension of the rule,

And referred to a select committee of three.

The President appointed as said committee,

Messrs. Buchanan, Harrison and Neill.

A House bill entitled,

An act to repeal an act passed and approved 19th October, 1852, to legalize the assessment of taxes in Tunica county located for the year 1852, and for other purposes.

Was read three times under a suspension of the rule and passed,

The title standing as stated.

A House bill entitled,

An act in relation to the Probate Court of Warren county.

Was read three times under a suspension of the rule and passed,

The title thereof standing as stated.

A House bill entitled,

An act conferring authority upon the Board of Police of Warren county to levy a tax in certain cases.

Was read twice and

On motion of Mr. Buck,

Referred to a select committee of three.

The President appointed as said committee,

Messrs. Buck, Enloe and Davis.

Mr. Neill, by leave, called up,

A Senate Resolution granting leave of absence to Hon. Wm. Cothran, and the House amendments thereto were concurred in by the Senate.

The following message was received from the Governor through his Private Secretary, Mr. Campbell :

EXECUTIVE OFFICE, }
City of Jackson, Dec. 14, 1859. }

MR. PRESIDENT:—

His Excellency the Governor, did on the 14th inst., sign and approve Senate bills entitled,

An act for the relief of the estate of A. M. Stratton, deceased.

An act in relation to the Circuit and Chancery Courts of Tishomingo county.

An act to amend an act entitled,

An act in relation to the compensation of the Reporter of the decisions of the High Court of Errors and Appeals of this State.

Mr. Mason offered a joint resolution providing for the payment of the postage due Mr. C. R. Dickson, Post Master at Jackson,

Which was read three times under a suspension of the rule and adopted.

A House bill entitled,

An act to define more accurately the boundaries between the counties of Adams and Wilkinson.

Was read once, and

On motion of Mr. Gordon,

Was laid on the table.

A House bill entitled,

An act to amend the common school laws of Pike county.

Was read once, and
 On motion of Mr. Chrisman,
 Was laid on the table.
 A House bill entitled,
 An act for the relief of A. Mizell.
 Was read, and
 On motion of Mr. Mims,
 The rule was suspended, and the bill read the second and third
 time by title, and passed,
 The title thereof standing as stated.
 Messrs Buck and McLain asked leave of absence, which was
 granted.
 On motion of Mr. Starke,
 The Senate adjourned until to-morrow morning at 9 o'clock.

THURSDAY, Dec. 15, 1859.

The Senate met pursuant to adjournment.
 The Journal of yesterday was read and approved.
 Pending the reading of the Journal,
 The following message was received from the House of Rep-
 resentatives, through their Clerk, Mr. Brougher,

MR. PRESIDENT—

The House of Representatives has passed,
 Senate bills of the following titles:
 An act to change the time of holding the Probate Court of
 Kemper county.

An act for the relief of James Brown, of Lafayette county.

An act to authorize the Directors appointed by the State of
 Tennessee to represent the interest of said State in the Missis-
 sippi Central Railroad Company.

An act to repeal a portion of an act entitled an act declaring
 Chewwappa, Old Town and Bear creeks, navigable streams,
 approved Feb. 5th, 1840.

An act for the relief of John H Sulton, of Attala county.

An act for the relief of John M. B. Powell.

An act for the relief of Johnson M. Hooper.

An act for the benefit of the Mississippi State Lunatic Asylum.

An act making appropriations for the fitting up and furnishing
 the Executive Mansion.

An act to allow Druggists in the town of Hernando, DeSoto

county to sell vinous and spiritous liquors for sacramental or medical purposes,

An act to refer to the legal voters of Buena Vista and vicinity, Chickasaw county, the question of the sale of vinous and spiritous liquors, within a certain prescribed boundary.

And has passed the two following Senate bills, with amendments thereto, in which the concurrence of the Senate is desired,

An act to amend the Charter of the city of Jackson.

An act to annex certain additional townships to the first District of the Circuit and Chancery Courts of Hinds county.

Also, the following House bills :

An act to repeal an act entitled an act to amend an act entitled an act to authorize P. W. Hemphill, James Liddell and others, to erect a bridge or ferry over Big Black river, and construct a causeway through the swamp, where the road from Louisville to Carrollton crosses the same.

An act for the relief of the heirs of Thomas Guinea, deceased.

An act to aid indigent children in the county of Oktibbeha in procuring an education.

The following message was received from the Governor through his Private Secretary, Mr. Campbell,

EXECUTIVE OFFICE,
City of Jackson, Miss., Dec. 15, 1859.

MR. PRESIDENT—

I herewith return to the Senate,

A bill to be entitled,

An act to incorporate the Monticello Railroad Company,

With my objections to its becoming a law.

In section 17, it is provided that the jury in determining said damages shall take into consideration the benefits resulting to said owner. Believing this provision conflicts with 13th section of the 1st article of the Constitution, which declares that no persons property shall be taken or applied to public use without the consent of the Legislature, and without just compensation being made therefor; I, therefore, deem it my duty to return said bill to the Senate for its reconsideration.

The Constitution, in my opinion, contemplates a compensation to be made in money. The compensation provided for in this bill is the benefit resulting to the owners of lands from the construction of the Railroad. Regarding this provision as unjust to the owners of the property which is to be taken for the benefit of the road. I respectfully ask its reconsideration before it becomes a law.

JOHN J. PETTUS.

On motion of Mr. West,

The Senate reconsidered the vote taken yesterday, referring to the Judiciary committee,

A House bill entitled,

An act to regulate the time of returning executions and other process for the collection of money, for the county of Yallobusha, and for other purposes.

The bill was read the third time and passed,

The title standing as stated.

The President presented the following report from the Secretary of State :

OFFICE OF SECRETARY OF STATE, }
Dec. 15, 1859. }

SIR:—I have the honor, through you, to report to the Legislature, that, since my last report, I have sold seven hundred and eighty-one copies of Revised Code of Mississippi, which added to former sales, amounts to 1379 copies, at \$3.00 per copy, \$5.637 00, which amount has been paid into the State Treasury and the receipts for same filed in this office.

Very Respectfully,

Your obedient servant,

A. B. DILWORTH,

Secretary of State.

Hon. JAMES DRANE, President of Senate.

Mr. Catchings asked leave to call up,

A House bill entitled,

An act to prevent the sale and distribution of vinous and spirituous and other intoxicating liquors in the county of Copiah,

Which was read the second and third time under a suspension of the rule, and passed,

The title standing as stated.

Mr. Davis from the committee on Enrolled Bills, made the following report,

MR. PRESIDENT—

The committee on Enrolled Bills have examined,

A bill entitled,

An act for the relief of John M. B. Powell,

And would report that they have found the same correctly enrolled.

Mr. Gordon asked leave to introduce,

A bill entitled,

An act to grant certain powers to the Board of Administrators of the Mississippi State Hospital, at Natchez,

Which was read twice and referred to a select committee of three.

The President appointed as said committee,

Messrs. Gordon, Ellett and Buchanan:

Mr. Neill asked leave to call up,

A House bill entitled,

An act to repeal an act to prohibit the sale of vinous and spiritous liquors in the town of Grenada, Yallobusha county, and for other purposes, approved March 2d, 1854.

**The House having disagreed to the Senate amendments thereto,
On motion of Mr. Neill,**

A committee of conference on the part of the Senate, was appointed by the President, consisting of,

Messrs. Neill, Gordon and Brasier.

The following message was received from the House of Representatives, through their Clerk, Mr. Brougher,

MR. PRESIDENT—

The House of Representatives has passed the joint resolution of the Senate in relation to the payment of postage to C. R. Dickson, Post-Master at Jackson.

The following message was received from the Governor, through his Private Secretary, Mr. Campbell,

**EXECUTIVE OFFICE, }
City of Jackson, Dec. 15, 1859. }**

MR. PRESIDENT—

**The Governor did on the 15th instant, sign and approve,
Senate bill entitled,**

An act for the relief of John M. B. Powell.

Mr. Rankin introduced,

A bill to be entitled,

An act to authorize the repealing of an act herein defined,

**Which was read three times under a suspension of the rule,
and passed,**

The title standing as stated.

On motion of Mr. Neill,

The Senate proceeded to the consideration of the Executive message received this morning.

On motion of Mr. Chrisman,

The consideration of the Governor's objection to,

A bill entitled,

An act to incorporate the Monticello Railroad Company,

Was postponed till the 16th of January.

On motion,

The Senate took a recess till 3 o'clock this evening.

THREE O'CLOCK P. M.

The Senate met pursuant to adjournment.

The following message was received from the House of Representatives, through their Clerk, Mr. Brougher,

MR. PRESIDENT—

The House of Representatives has concurred in the Senate amendments to the

House bill to be entitled,

An act to authorize the Board of Police Attala county to appropriate certain funds to the construction of a Court-House in said county.

And also Senate amendments to,

House bill entitled,

An act for the punishment of slaves convicted of the crime of manslaughter.

Also, Senate bill entitled,

An act authorizing the building of a jail in the town of Rodney, and for other purposes.

The House of Representatives has passed the following joint resolution,

Resolved, [the Senate concurring,] That the two Houses adjourn to-day at 4 o'clock P. M.

The House has also passed,

A House bill entitled,

An act for the relief of Arthur K. Barlow, and for other purposes.

On motion of Mr. Enloe,

The Senate proceeded to consider the above message forthwith.

The joint resolution suggesting 4 o'clock as the hour for adjourning this evening,

Was concurred in.

Mr. Lavis, from the committee on Enrolled Bills, made the following reports,

Which were received and agreed to.

MR. PRESIDENT—

The committee on Enrolled Bills have examined the following bills:

An act to authorize the building a Jail in the town of Rodney, and for other purposes.

And,

An act for the relief of James Brown, of Lafayette county.

And report that they find the same correctly Enrolled.

MR. PRESIDENT—

The Committee on Enrolled Bills have examined the following bills:

An act to extend to slaves the privilege of bail and habeas corpus,

And,

An act to change the time of holding the Probate Court of Kemper county.

And joint resolution providing for the payment of the postage due C. R. Dickson from the Legislature of Mississippi,

And that they report the same correctly enrolled.

The following message was received from the Governor through his private Secretary, Mr. Campbell:

EXECUTIVE OFFICE, }
City of Jackson, Miss., Dec. 15, 1859. }

MR. PRESIDENT—

I herewith transmit to the Senate the following message of the Governor, in writing, relative the appointments for Inspectors of the Penitentiary.

Mr. Gordon called up,

A Senate bill entitled,

An act to amend the Charter of the City of Jackson,

And the House amendments thereto were concurred in.

On motion of Mr. Gordon,

The Senate proceeded to the consideration of a Senate bill entitled,

An act to annex certain additional townships to the First District of the Circuit and Chancery Courts of Hinds county.

And the House amendments thereto were concurred in by the Senate.

On motion of Mr. Enloe,

The Senate resolved itself into Executive Session.

The following message was received from the House of Representatives, through their Clerk, Mr. Brougher.

MR. PRESIDENT—

The House of Representatives has passed a Senate bill entitled:

An act to authorize the Boards of County Police of Adams, Wilkinson, Lawrence, Pike and Rankin, respectively to grant licences to set up and keep for public play, Billiard Tables in each of said counties,

And have adopted sundry amendments thereto,

In which the concurrence of the Senate is desired.

The following message was received from the Governor, through his private Secretary, Mr. Campbell:

EXECUTIVE OFFICE,
City of Jackson, Miss., Dec. 15, 1859.

MR. PRESIDENT—

The Governor did, on the 15th instant, sign and approve Senate bills entitled,

An act for the relief of James Brown, of Lafayette county.

An act to authorize the building of a Jail in the town of Rodney, and for other purposes.

Mr. Chrisman moved,

To take up the Senate bill just reported from the House, with amendments, in relation to Billiard Tables.

Mr. Ellett offered the following amendment:

Amend by striking out the House amendment, the word "Jefferson,"

Which was adopted.

On motion,

The further consideration of the bill was postponed till the 16th of January.

Mr. Neill, from the Committee of Conference, made the following report,

Which was received and agreed to.

MR. PRESIDENT—

The Committee of Conference appointed on the disagreeing votes of the two Houses on the amendments to

A bill to be entitled,

An act to repeal an act to prohibit the sale of vinous and spirituous liquors in the town of Grenada, Yallobusha county, and for other purposes, approved March 2d, 1854,

Have had the same under consideration, and instructed me to report the following as a substitute for the second amendment to said bill by the Senate, and to recommend that the same be concurred in.

Amendments of the joint Conference Committee:

Amend by striking out the Senate amendment to the first section of the original bill, and insert the following:

Provided that nothing contained in this act shall be so construed as to release or discharge from prosecution and punishment any offender or offenders who have violated the provisions of the act intended to be repealed by this act, by selling vinous and spirituous liquors in said town of Grenada, or within three miles thereof, in less quantities than one gallon; but that in all such cases such offender or offenders may be prosecuted for such violations of said

act, and upon conviction shall be punished as though said act had not been repealed.

On motion of Mr. Brasier,

That the Senate adjourn until 16th January proximo.

MONDAY, Jan. 16, 1860.

The Legislature re-assembled to day, according to adjournment.

There being no quorum present in the Senate, and the President being absent,

On motion of Mr. McLain,

Hon. J. M. Thomson, of Chickasaw, was called to the Chair.

The roll was called,

And the following Senators answered to their names.

Messrs. Chrisman Enloe, Harrison, Harris, McLain, Mims, Quin, Rankin, Thomson, Talliaferro and West.

On motion of Mr. Harrison,

The Senate adjourned until to-morrow morning 9 o'clock.

TUESDAY, Jan. 17, 1860.

The Senate met pursuant to adjournment.

A quorum was found to be present upon a call of the roll.

The Journal of yesterday was read and approved.

The following message was received from the Governor through his Private Secretary, Mr. Campbell:

EXECUTIVE OFFICE,
Jackson, Miss., Jan. 17, 1860.

To the Senate and House of Representatives—

GENTLEMEN:—It becomes my painful duty to announce to you the death of Col. B. R. Webb, Secretary of State.

His remains are now at Mrs. Dickson's, where he died yesterday morning at 7 o'clock.

He was a gentleman, a christian and a patriot; a man of unblemished character; a faithful friend and respected neighbor. Scarcely had he assumed the responsibility of the public trust committed to his care by the people of this State, ere he was summoned from our midst by the messenger of death.

No friend laments this sad occurrence more than I; and I ask you to join me in tendering consolation to his bereaved family.

JOHN J. PETTUS.

Mr. Starke offered the following joint resolution,

Which was read once.

Resolved, By the Senate, (the House concurring,) That the Legislature will, at some early day, elect a Commissioner to go immediately to Virginia, to confer with her through her Legislature as to the best means to maintain and preserve the rights and interests of the Southern States against the dangers now impending over them.

On motion of Mr. Thomson,

The Governor's message was taken up and read after which,

Mr. Thomson offered resolutions in relation to the late Hon. B. R. Webb.

The following message was received from the House of Representatives, through Mr. McCabe :

MR. PRESIDENT—

The House of Representatives has adopted the following joint resolution :

Resolved, (the Senate concurring,) That a committee of five on the part of the House, and ——— on the part of the Senate, be appointed to make arrangements for the attendance of the two Houses upon the funeral of Col. B. R. Webb, late Secretary of State, and to request the attendance of the Governor and other State officers with the two Houses; and also to report resolutions suitable to the occasion.

And have appointed as the committee on the part of the House Messrs. Clark, Thomas, Suratt, Dean and Smedes.

In which the concurrence of the Senate is desired.

On motion of Mr. Starke,

The blank was filled with three.

The President appointed the following Senators as said committee, (Mr. Starke asking to be excused,)

Messrs. Thomson, McLain and West.

Mr Starke further moved,

That the joint resolution of the House be concurred in,

Which was agreed to.

Mr. Chrisman moved,

That the Senate resolutions be referred to the joint committee,
Which was agreed to.

Mr. Starke moved,

That the Senate take a recess of fifteen minutes.

After the recess, the Senate met, when

Mr. Thomson, Chairman of the Joint Committee, made following report:

MR. PRESIDENT—

The Joint Select Committee to whom was referred,

The resolution in relation to Hon. B. R. Webb, and to make arrangements for his funeral,

Have had the subject under consideration, and have instructed me to report that they have ascertained that the Grand Lodge of Masons of the State, now in session, have taken in hand and made provision for all the necessary arrangements in relation to the funeral of the lamented deceased, and have appointed the hour of 3 o'clock P. M. for that purpose.

The committee have made some slight alterations in the resolutions submitted to them by the Senate, in order to make them conform to that state of case; and have instructed me to report them back as thus amended, and to ask their adoption.

All of which is respectfully submitted.

On motion of Mr. Thomson,

The following resolutions were adopted:

WHEREAS, His Excellency, the Governor, has communicated to the Legislature the mournful intelligence of the death of the Hon. B. R. Webb, late Secretary of State, which occurred in this city on the 16th inst., and,

WHEREAS, The Legislative department sympathising most deeply in the loss of a member of the Executive branch of the Government, and, with the people of the whole State in thus being deprived of the services of a most virtuous officer; therefore,

Resolved, That the Legislature of the State of Mississippi have learned with profound regret the death of the Hon. B. R. Webb, Secretary of State, and sincerely sympathise with the people of the whole State in the public calamity which has befallen them in the loss of an intelligent, faithful and virtuous public officer.

Resolved, That our heartfelt sympathies are with the family of the deceased in this afflictive dispensation, which deprives them of husband and father, as well as the State of one of her most valuable citizens.

Resolved, That in respect for the memory of the deceased, the two Houses will adjourn, and will attend in a body from the Capitol his funeral at three o'clock, the hour designated for the same by the Grand Lodge of Masons of the State of Mississippi, now in session.

Those resolutions were reported and concurred in by the House.

On motion of Mr. Thomson,

The Senate adjourned until to-morrow morning 10 o'clock.

WEDNESDAY, Jan. 18, 1860.

The Senate met pursuant to adjournment, the roll was called, And the Journal of yesterday was read and approved.

Mr. Chrisman introduced,

A memorial of sundry citizens of Lawrence county, resident inhabitants of the Bogue Chitto and Fair river districts in said county,

And moved its reference to a select committee of three.

The President appointed as said committee,

Messrs. Chrisman, Ellett and Enloe.

Mr. West introduced,

The memorial of Wesley Moore, a free man of yellow complexion,

And moved its reference to a select committee of three.

The President appointed as said committee,

Messrs. West, Mason and Ellett.

Mr. McLain introduced,

Petitions of sundry citizens of Clarke county,

Which, on his motion,

Were referred to the same committee.

Mr. Enloe, from a select committee, made the following report,

Which was received and agreed to.

MR. PRESIDENT—

The select committee to which was referred,

A bill to be entitled,

An act to transfer certain collections in natural history,

Have had the same under consideration, and have instructed me to report the same back, without amendment, and recommend that the same do pass.

Mr. Enloe moved,

The Senate proceed immediately to the consideration of,

A bill to be entitled,

An act to transfer certain collections in Natural History therein named,

Which was read the second and third time, and passed.

The title standing as stated.

Mr. Mims introduced,

A bill to be entitled,

An act to amend an act entitled an act to authorize a compilation of criminal law, approved Feb. 21, 1854,

Which was read the first and second times, and

On motion of Mr. Ellett,

Was referred to the Judiciary committee.

Mr. Oliver introduced the following resolution,

Which was adopted.

Resolved, That the Secretary of the Senate, be, and he is hereby instructed to transmit to the family of the Hon. B. R. Webb, late Secretary of State, a copy of the resolutions adopted by the Senate, in relation to his funeral.

Mr. West called up,

Senate resolution in relation to Federal Affairs.

Mr. West offered the subjoined series of resolutions as a substitute,

Which were read once, and

On motion of Mr. West,

The said resolutions were laid on the table,

200 hundred copies ordered to be printed, and make the special order for Monday next at 1½ o'clock.

WHEREAS, For the preservation of the constitutional union of our States, and the maintenance and protection of the rights of the citizens thereof, it is necessary to preserve an equilibrium of the rights and influences among the different parts of the same; but whereas, by the increase of Territory and population, and the consequent augmentation of States, and their representation in Congress, that equilibrium of the different sections of the confederacy has gradually been impaired, to the evident detriment of the Southern States, and their domestic institutions. And, whereas, "by an exasperated feeling between the North and the South on the most exciting of all topics," the political sentiment of the North is operating insidiously to the destruction of the rights of the South. And, whereas, to avoid slow, but ultimate annihilation, it is the imperative duty of the Southern States, to seek a restoration of that impaired, if not lost equilibrium, by all the agencies within the purview of the Constitution of the United States, as also by all the means within the range of State sovereignty, first by uniting firmly to resist any abuse of the delegated powers of the Federal Constitution come whence it may, and through their State Legislatures, to devise and adopt such measures as are suitable for their mutual safety and protection, and "a well-regulated militia, being necessary to the security of a free State," the Southern States should organize and train a militia

adequate to their protection, against insurrection and invasion, and to adopt suitable measures to develop all the resources of the South. agricultural and mineral, manufacturing and commercial, and by an energetic system of common schools, diffuse intelligence among the people of all conditions, and to accomplish this high purpose, let the hitherto political divisions in the South, be forgotten, and their united energies be directed to the preservation of their political rights and the perpetuity of the principles of the Constitution of the United States. Be it therefore,

1st. *Resolved, By the Legislature of the State of Mississippi,* That in the opinion of those who now constitute the said Legislature, that the Constitution was formed by the several States in their sovereign capacity, for the purposes of mutual advantage and protection. That the several States are distinct sovereignties, whose supremacy is limited so far only as the same has been delegated by voluntary compact to a General Government. That the Government thus created by certain delegated powers, can act only within the positive, well-defined, and clearly established limits of those powers. That its legislation and administration, must, therefore, be controlled by the Constitution, and are absolutely void, when used to destroy or impair the reserved rights of the several States, or the vested rights of any citizen of either of those States. Be it therefore further

2d. *Resolved,* "The the Union thus formed, constituting, as it does, the closest, most delicate and important relation that can exist between communities of people, demands from each part a warm and earnest consideration for the safety, prosperity, and happiness of the other, and that whatever policy tends to subvert these ends, is hostile to the true spirit of the compact, the primary principles of which are, protection to life, liberty and property, and all the parties to that instrument have an intimate interest in the political and domestic institutions of each other; and a right, coupled with a duty, to insist on a practical enforcement of these principles, and a failure, or a refusal, on the part of any of the parties to the compact, or by the Federal Government, would devolve upon the State, or States, whose rights, or the rights of whose citizens are menaced or endangered, the duty of their enforcement.

3d. That the Federal Government cannot in anywise destroy or impair the value of property recognized as such by the laws of any of the States, nor can any tribunal acting under its authority, or permission, whether it be legislative, executive, judicial or otherwise, within its appropriate sphere, justly withhold from the owners of slaves that adequate protection for their slave property, to which the owners of property of other kinds are entitled, or which from its nature and menaced condition, they may further require to secure them in its possession and enjoyment.

4th: That the institution of slavery existed at the time of the formation of the Federal Constitution, and is recognized by its letter, and all efforts to impair its value or lessen its duration by Congress, or any of the free States, is a violation of the compact of union, and endangers the ends for which it was established!— and as our forefathers would not have formed a union, protecting one class of property, and investing it with power to impair the value, or destroy another class of property, we, their descendants— it cannot be expected will tamely submit to a dishonorable discrimination against ourselves and our institutions, but demand of the General Government the shield of its protecting care.

5th: That the Territories are the common property of all the States, and the citizens with their property of each and every State, have a common right to occupy those Territories, and are protected in their occupation of the same by the flag of our common country, therefore, neither the people, or inhabitants of any such Territory possess a right, legal or otherwise, derived or inherent, to exclude slavery from the same, but are bound to give it the same protection as any other species of property, and any Territorial legislation to the contrary should be promptly overruled by the Congress of the United States.

6th: That the people of the Northern States have assumed a revolutionary position towards the Southern States: That they have set at defiance that provision of the Constitution which was intended to insure domestic tranquility among the States, and promote their general welfare, namely: "No person held to service or labor in one State, under the laws thereof, escaping into another, shall, in consequence of any law or regulation therein, be discharged from such service or labor, but shall be delivered up on claim of the party to whom such service or labor may be due." That they have by voluntary associations, individual agencies, and State legislation, interfered with slavery as it prevails in the slaveholding States. That they have enticed our slaves from us, and by State intervention, obstructed and prevented their rendition under the fugitive slave law. That they continue their system of agitation obviously for the purpose of encouraging other slaves to escape from service to weaken the institution in the slaveholding States, by rendering the holding of such property insecure, and as a consequence its ultimate abolition certain. That they claim the right and demand its execution by Congress, to exclude slavery from the Territories, but claim the right of protection for every species of property owned by themselves. That they declare in every manner in which public opinion is expressed, their unalterable determination to exclude from admittance into the Union any new State that tolerates slavery in its Constitution and thereby force Congress to a condemnation of that species of property. That they thus seek, by an increase of abolition States, to acquire "two-thirds of both Houses," for the

purpose of proposing an amendment to the Constitution of the United States, abolishing slavery in the States, and so continue the agitation, that the proposed amendment shall be ratified by the Legislatures of three-fourths of the States. That they have sought to create domestic discord in the South by incendiary publications. That they have encouraged a hostile invasion of a Southern State to excite insurrection, murder and rapine. That they have deprived Southern citizens of their property and continue an unfriendly agitation of their domestic institutions, claiming for themselves and all Europe perfect immunity from external interference with their domestic policy. We of the South alone made an exception to that universal quiet, and when the Southern States seek to unite in self defence or invoke the remedies of the Constitution or State action to repel these unprovoked assaults of our enemies and the enemies of a Constitution made glorious from its origin, wonderful in wisdom and incomprehensible in its wide spreading greatness, a priceless inheritance transmitted to us from our forefathers and cemented by their blood, they are charged with disunion purposes and admonished to quiet submission, to insult and depredation, to which charge we do hereby enter our solemn protest and declare it as our firm determination to preserve and maintain in its pristine glory the Constitution, which is the cement of the Union, and our rights at all hazards.

7th. That the slaveholding States should resort to the most rigid system of commercial non-intercourse with all communities and cities, and States, who continue to offend against their Constitutional rights. "For this purpose we earnestly invite the Legislatures of every Southern State to unite with us in this recommendation, and that in every State, and county, and town, and neighborhood, resolutions may be adopted not to purchase or use, as far as practicable, any article whatsoever known to have been produced or manufactured in such community, city or State, or to have been imported into the same for sale. In further aid of this object we earnestly recommend to the Southern States and their people, that they encourage by all the means in their power their own mechanics and merchants and manufactures of every description; and that they push forward all their Railroads connecting them with their best harbors on the Gulf and on the Atlantic coast, thereby more certainly encouraging direct trade with Foreign Nations, and thus render the South commercially independent of the North. We make these recommendations in no spirit of revenge, but as a just and necessary means of self-defence to be persisted in only until the rights secured to us by the Constitution shall be respected."

8th. That it may become necessary for the internal security of the slaveholding States to establish inspection laws for the prevention of any future raid or foray by abolitionists into the Southern States, therefore, the consent of Congress be and the

same is hereby asked, that this State shall have power to lay imposts or duties on imports which may be necessary for executing its inspection laws; and the net produce of all duties and imposts, laid by this State on imports shall be for the use of the Treasury of the United States; "and all such laws shall be subject to the revision and control of the Congress."

9th. That the consent of Congress be and the same is hereby respectfully asked, that this State shall have the right to lay any duty of tonnage, keep troops, or ships of war in time of peace, enter into any agreement or compact with another State," or States, or with a foreign power.

10th. "That the election of a President of the United States by the votes of one section of the Union only, on the ground that there exists an irreconcilable conflict between the two sections in reference to their respective systems of labor, and in pursuance of their hostility to the institution of slavery as it prevails in the Southern States, and as recognized by the compact of Union, would so threaten a destruction of the ends for which the Constitution was formed, as to justify the slaveholding States in taking counsel together for their separate protection and safety."

11th. That as we are not disposed to submit to oppression on one side, nor resort to resistance by force on the other, if it can be avoided, we have chosen an intermediate policy between these dire alternatives, by which the people of the North may be brought to a pause, and thereby an interval obtained to settle permanently this agitating subject of slavery, through an appeal to the States themselves and their people; and as the slaveholding States is the assailed party, we would recommend they meet in Convention, before the next Presidential election, and at the earliest practicable period, to take counsel of each other for their mutual safety and protection; if the evils of this unnatural conflict be permitted to accumulate without correction, it must finally end in a destruction harmony and peace; and to avoid a recurrence of those calamities that have fallen upon other nations under similar circumstances, all reasonable hopes for justice should be exhausted; therefore, before final action be taken by the aggrieved States, they should invite a Convention of all the States, and if they fail to agree upon terms that will enable them to live in harmony, then make provision for a peaceable separation, that the blessings of free institutions may be preserved and transmitted to the remotest generations, and our splendid anticipations of the future still realized.

12th. That union being essential to success and the object to be attained, worthy of union, we earnestly recommend to all Southern patriots, of both political parties, to forget their past differences and kindle anew the fires of patriotism that the future may be bright with hope to us, and of promise to after generations. Our mutual sympathies should cordially invite us and our common

interest strengthen that bond of union, that we may secure to the South, in the administration of the General Government, that protection and respect to which she and her institutions are entitled; and thereby render powerless those who are invidiously invading the sanctity of the Constitution of the United States, to overturn those sacred provision intended for our security. A union, on these points or any other principles, not involving a forfeiture of the political honor of either party, would present the moral spectacle to the civilized world of a great people united for the maintenance of their political rights.

15th. That as there is nothing herein contained in contravention of the Constitution of the United States, the Governor of this State be requested to convene the Legislature in case he should deem it necessary, to provide for carrying into legal effect any of the measures contemplated in the foregoing resolutions, and that he be requested to transmit a copy of the foregoing preamble and resolutions to the Governors of all the States, to be submitted to their respective Legislatures for consideration, and also a copy to the President of the United States, to be submitted to Congress for consideration and co-operation, so far as the action of Congress is hereby invoked; and a copy be sent to each of our Representatives in Congress.

Mr. McCord introduced,

A bill to be entitled,

An act supplemental to and amendatory of an act in relation to the Circuit and Chancery Courts of Tishomingo county, approved December 12, 1859.

Which was read the first and second time, and

On motion of Mr. McCord,

It was referred to a select committee of three.

The President appointed as said committee,

Messrs. McMord, Thomson and Harrison.

Mr. Mims introduced,

A bill to be entitled,

An act to amend article 225, of section 48, chapter 64 of the Revised Code,

Which was read the first and second times.

On motion of Mr. Mims,

It was referred to a select committee of three.

The President appointed as said committee,

Messrs. Mims, Chrisman and Starke.

Mr. West introduced,

A bill to be entitled,

An act to incorporate the Holmes county Manufacturing Company,

Which was read the first and second times, when

Mr. Drane offered the following amendment:

Amend 16th section,

By striking out all after the words "ten years," in said section,
Mr. Mason offered the following amendment.

Whereupon Mr. Drane withdrew his amendment.

Which was adopted:

Amend by striking out ten and insert five, in the last line in
16th section.

Mr. Drane renewed his amendment.

Mr. Starke moved,

Its reference, together with the bill, to a select committee of
three.

The President appointed, Mr. Starke asking to be excused, as
said committee,

Messrs. Drane, West and Mason.

Mr. Harrison introduced,

A bill to be entitled,

An act to exempt certain persons therein named from military
and jury duty,

Which was read the first and second times, when

Mr. Harrison moved,

Its reference to the Judiciary committee.

Mr. Mason moved,

The Senate adjourned until to-morrow morning 9 o'clock.

THURSDAY, Jan. 19, 1860

The Senate met pursuant to adjournment.

The roll was called, and

The Journal of yesterday was read and approved.

Mr. Howry offered the following resolution of the Board of
Trustees of the University of Mississippi,

Which, on his motion, were referred to the committee on the
State University.

At a meeting of the Board of Trustees of the University of
Mississippi, held in the city of Jackson, on the 3d Monday of No-
vember, 1859,

The following resolutions were adopted:

Resolved, That the Legislature of this State be requested to
pass an act authorizing the Board of Trustees of the University of
Mississippi to sell or lease a portion of the University section of
land, for the purpose of procuring the erection of residences
thereon, under such restrictions as they may impose.

Resolved, That the Legislature be requested to pass a resolution, requiring the Auditor of Public Accounts to take charge of and safely keep the book containing an account of the loan and sale of the thirty-six sections of land donated by Congress to this State, in trust, for the purpose of endowing a Seminary of Learning thereon, and that he be also required to furnish a certified copy of the contents of said book to the Board of Trustees of the University of Mississippi.

WHEREAS, A resolution was adopted at the last session of the Legislature appointing a Commissioner to investigate and report the amount of Seminary Fund, and whereas, no report has been made, therefore,

Resolved, That the Board request the Legislature to continue said Commissioner, and appoint, or cause to be appointed some competent person to discharge said duties.

A true copy from the minutes.

J. M. HOWRY, Sec'y.

Mr. Chrisman, from a select committee of three, made the following report,

Which, on his motion, was received and agreed to :

MR. PRESIDENT—

The select committee to whom was referred,

A petition in relation to the Circuit Court of Lawrence county,

Have had the same under consideration, and instructed me to report the following bill, and recommend its passage.

On motion of Mr. Chrisman,

The Senate proceeded immediately to the consideration of

A bill to be entitled,

An act in relation to the Circuit and Chancery Courts of the county of Lawrence,

Which was read once, and under a suspension of the rules was read the second and third times, and passed,

The title standing as stated.

Mr. West, from a select committee, made the following report :

Which was received and agreed to.

MR. PRESIDENT:—

The select committee to whom was referred,

An act to incorporate the Holmes County Manufacturing Company,

Have had the same under consideration, and have instructed me to report back the said bill with an amendment to the 16th section, striking out the words in the 4th line—"in which event," and recommend the passage of the same.

On motion of Mr. West,

The amendments were adopted:

Mr. Drane offered the following amendment:

Amend 16th section by striking out all after the words "ten years," in said section.

Mr. West moved,

To lay the amendment on the table,

Which motion was lost,

And the amendment therefore adopted.

On motion of Mr. West,

The rule was suspended, and the bill read the third time and passed,

The title standing as stated.

Mr. McLain introduced,

A bill to be entitled,

An act to incorporate the Shoboota Toll-Bridge Company, in the county of Clark.

Which was read once,

And under a suspension of the rules read the second and third time, and passed,

The title standing as stated.

Mr. McCord, from select committee made the following report:

Which was received and agreed to.

MR. PRESIDENT:—

The committee to whom was referred,

An act supplemental to, and amendatory of an act in relation to the Circuit and Chancery Courts of Tishomingo county,

Beg leave to report the bill back to the Senate, and recommend its passage.

On motion of Mr. McCord,

The Senate proceeded to the consideration of a bill to be entitled.

An act supplemental to, and amendatory of an act in relation to the Circuit and Chancery Courts of Tishomingo county, approved December 14th, 1859.

Which was read once,

And under a suspension of the rules read the second and third times, and passed,

The title standing as stated.

Mr. West introduced,

A bill to be entitled,

An act to establish a Turpike and Ferry or Bridge across Big Black river and bottom,

Which was read once,

And under a further suspension of the rules read a second and third times, and passed,

The title standing as stated.

Mr. Harrison introduced,

A bill to be entitled,

An act for the relief of Mrs. Jeannett Levy,

Which was read once,

And under a suspension of the rules was read the second time, when, upon a further suspension of the rules, a division was called for, and the rules suspended, and the bill was read the third time and put upon its passage, and the yeas and nays were called for with the following result :

YEAS—Messrs. Buchanan, Harrison, Harris, McCord, Quin, Starke and West—7.

NAYS—Mr. President, Messrs. Brasier, Chrisman, Ellett, Enloe, Hule, McLain, Mason, Oliver, Rankin, Thames, Talliaferro and Wilson—13.

Mr. West, changed his vote, and gave notice that he would, on to-morrow, move a reconsideration of the vote.

Mr. Ellett introduced,

A bill to be entitled,

An act for the benefit of the family of the Hon. B. R. Webb, late Secretary of State,

Which was read the first time,

And under a suspension of the rules read the second time, and

On motion of Mr. Ellett,

Postponed until to-morrow.

Mr. Chrisman asked and obtained leave to call up,

House bill to be entitled,

An act to amend the Common School Laws of Pike county,

When he offered the following amendment—

Amend by inserting after the word "from," in next to the last line of the bill, the words "and from and after its passage,"

Which was adopted.

And under a suspension of the rules the bill was read the third time, and passed,

The title standing as stated.

Mr. Ellett introduced,

A bill to be entitled,

An act for the relief of Sarah C. Jacobs, and others,

Which was read the first time,

And under a further suspension of the rules was read the second and third times, and passed,

The title thereof standing as stated.

The following message was received from the Governor, through his private Secretary, Mr. Campbell :

EXECUTIVE OFFICE,
City of Jackson, Miss., Jan. 19, 1860.

MR. PRESIDENT—

The Governor did, on the 19th instant, sign and approve Senate bills entitled,

An act to change the time of holding the Probate Court of Kemper county.

An act to extend to slaves the privilege of bail and habeas corpus.

Resolution providing for the payment of the postage due C. R. Dickson from the Legislature of Mississippi,

On motion of Mr. Starke,

The Senate adjourned until 3 o'clock P. M.

THREE O'CLOCK P. M.

The Senate met pursuant to adjournment.

Mr. Ellett moved,

The Senate proceed to the consideration of

A bill to be entitled,

An act to amend the sixtieth chapter of the Revised Code,

Entitled,

An act providing for the establishment of the Probate Courts and for prescribing the mode of proceeding therein.

Which was read the second time under a suspension of the rules,

When Mr. Ellett offered the following additional amendment.

Amend by inserting between the 7th and 8th sections, the following additional sections:

SEC. *Be it further enacted*, That it shall be lawful for the Judge of the Probate Court to adjourn the Court to any day prior to the commencement of the next term, and to proceed at the time fixed by the order of adjournment to hear and determine the business pending therein. And it shall also be lawful for such Judge to appoint and hold special terms of the Court on ten days notice being given by advertisement at three public places in the county, of which the Court House shall be one, and at such special term no other business shall be heard other than that which shall be particularly mentioned in the said advertisement.

SEC. *Be it further enacted*, That so much of the 26th article of the act to which this is an amendment, as requires depositions to be recorded, be, and the same is hereby repealed.

Which was adopted.

When under a further suspension of the rules the bill was read a third time, and passed,

The title standing as stated.

Mr. Starke moved,

To take up the special orders of the day,

Which was agreed to.

A bill to be entitled,

An act to authorize the Boards of County Police of Adams, Wilkinson, Lawrence, Pike and Rankin, respectively to grant licences to set up and keep for public play, Billiard Tables in each of said counties,

Was read, and

Informally passed by.

After which, the Senate proceeded to the consideration of a bill to be entitled,

An act to exempt slaves from execution and sale in cases where the plaintiff in execution, or the party for whose use the money may be sought to be collected, denies the right of property in slaves,

Which was read once, and passed over informally, when,

Mr. Covington introduced,

As a substitute,

A bill to be entitled,

An act to encourage direct trade and promote Southern independence.

On motion of Mr. Starke,

The rules were suspended and the bill read the second time when,

On motion of Mr. Chrisman,

It was referred to the committee on State and Federal Relations.

Mr. West called up,

A bill to be entitled,

An act to exempt from execution and sale slaves in cases where the Plaintiff, or the person for whose use the money is sought to be collected, denies the right of property in slaves,

And moved its reference to the committee on State and Federal Relations.

A bill was then taken up,

To be entitled,

An act to amend an act to be entitled an act further to amend an act entitled an act to incorporate the Mississippi and Tennessee Railroad Company, approved March 8th, 1856.

Which,

On motion of Mr. Talliaferro,

Was postponed until Tuesday next, 11 o'clock.

A bill to be entitled,

An act for the better government of Railroad Companies,

Which, under a suspension of the rules, was read the second time, and,

On motion of Mr. West,

Indefinitely postponed.

Upon which the yeas and nays were called, with the following result :

YEAS—Messrs. Buchanan, Chrisman, Davis, Ellett, Enloe, Mason, McCord, Starke, West and Wilson.—10.

NAYS—Mr. President, Messrs. Covington, Harrison, Harris, Howry, Huie, McLain, Mims, McRae, Oliver, Quin, Rankin, Thomson, Thames and Talliaferro—15.

The motion to indefinitely postpone was therefore lost.

Mr. Howry moved,

To lay the bill on the table, when

Mr. Oliver moved,

To amend the motion by making it the special order for Wednesday next,

Which was adopted.

A Senate bill to be entitled,

An act to refund to Railroad Companies the amount of Railroad tax collected by the Auditor of Public Accounts,

With House Amendments,

Was taken up, and,

On motion of Mr. Mason,

The Senate concurred in the House amendments.

The following message was received from the House of Representatives, through their Clerk, Mr. Brougher.

MR. PRESIDENT—

The House of Representatives has passed bills of the following titles, viz :

An act for the benefit of schools in Township 3, Range 3 East.

An act to repeal in part an act incorporating the town of Bene-la, in Calhoun county.

An act to prevent the selling of vinous and spirituous liquors in the town of Panola.

An act to incorporate the town of Brooksville, in Noxubee county.

Also,

Senate bills entitled,

An act to authorize the repealing of an act herein defined,

An act to amend article 8, section 1, of chapter 15, of the Revised Code.

Also,

House bills entitled,

An act in relation to Sheriffs, so far as the same relates to the county of Wilkinson.

An act to repeal article 12, of chapter 19, of the Revised Code, in relation to Inns and Taverns, so far as relates to the counties of Amite, Pike and Pontotoc.

An act for the benefit of the Fayettee Female Academy, in the county of Jefferson.

An act to authorize the Secretary of State to cause an Index to be made for the use of his office, and for other purposes.

An act supplemental to an act entitled an act authorizing the closing of Atchafalaya Bayou in the county of Yazoo, approved December 7th, 1859.

A Senate bill to be entitled,

An act to exempt certain lands from taxation.

With House amendments,

Was taken up, and,

On motion of Mr. Starke,

The Senate concurred in said House amendments.

A House bill to be entitled,

An act to repeal an act passed 28th February, 1854,

Was read once, when,

On motion of Mr. Starke,

It was laid on the table.

A House bill to be entitled,

An act to amend the laws in relation to free negroes and mulattoes in this State, and for other purposes.

Was read once, when,

On motion of Mr. Harrison,

The Senate adjourned until to-morrow morning at 10 o'clock.

Upon which a division was called for,

And decided in the affirmative.

FRIDAY, Jan. 20, 1860.

The Senate met pursuant to adjournment.

The roll was called, and

The Journal of yesterday was read and approved.

The following message was received from the House of Representatives, through their Clerk, Mr. Brougher,

MR. PRESIDENT—

The House of Representatives has passed,
House bills of the following titles :

An act in relation to Circuit Judges and District Attorneys in this State.

An act regulating payments into the State Treasury.

An act for the benefit of schools in townships five, range three, East, in the county of Rankin.

An act to change the time of holding the Probate Court of Choctaw county.

An act entitled an act to authorize the Board of Police of Holmes county to salary its Secretary and publish its proceedings.

An act to incorporate the Vernal Male and Female Academy, in Green county, and for other purposes.

An act conferring additional powers upon the Board of Homochitto Commissioners.

Mr. Mms called up Senate resolutions in relation to State and Federal affairs,

And offered the following resolution :

Resolved, That in order to be prepared for such a contingency, Mississippi recommends to her sister slaveholding States that they meet her in Convention on the 4th day of July next, at Atlanta, Georgia, to determine the action they will take in such an event, and that Mississippi further recommends that each of said States appoint a number of delegates to represent them in said Convention equal to the number of their Senators and Representatives in Congress, and that this Legislature proceed, at an early day, to appoint seven delegates to represent Mississippi in said Convention,

Which were referred to the committee on State and Federal Relations.

Mr. West introduced,

A bill to be entitled,

An act to re-enact the fifth section of an act to provide for the sale of lands purchased by the State at tax sales, approved 4th March 1848,

Which was read the first time, and under a suspension of the rules, read the second time, and

Referred to the Judiciary committee.

Mr. Thomson introduced,

A bill to be entitled,

An act to amend an act entitled an act to incorporate the Male and Female Academies of Houston, county of Chickasaw,

Which was read the first time, and under a suspension of the rules, read the second and third times, and passed,

The title standing as stated.

Mr. Oliver introduced,

A bill to be entitled,

An act to provide for and regulate divorces,
Which was read the first time, and under a suspension of the
rules, read the second time, and

Referred to the Judiciary committee.

Mr. Neill offered the following resolution:

Resolved, That the committee on Finance be instructed to
report an amendment to the revenue laws of this State, imposing
a double tax upon goods, wares and merchandize introduced by
citizens of the other States and sold by sample in this State. The
same to be collected from the vendors of such goods sold by
sample, if practicable, and if not so collected, then to be collected
from the party purchasing by that means.

Mr. Oliver offered the following amendment, by inserting, also,
the vendors of books, maps and patent rights and patent medicines,

Which was adopted.

On motion of Mr. Neill,

The resolution was referred to the committee on Finance.

Mr. McCord called for the special orders of the day,

A House bill to be entitled,

An act to authorize a re-assessment of the lands lying and
being in the county of Hinds, State of Mississippi,

Was read the first time, and under a suspension of the rules,
read the second and third times, and passed,

The title standing as stated.

A House bill to be entitled,

An act to more effectually prevent hawking and pedling by non-
residents in this State,

Was read the first time, and under a suspension of the rules,
read the second time, when

On motion of Mr. Howry,

It was referred to the committee on Finance.

A House bill to be entitled,

An act for the benefit of Ann Mataw, a free woman of color,

Was read the first time, and under a suspension of the rules,
read the second time, and

On motion of Mr. West,

Referred to the committee on the memorial of Wesley Moore.

Mr. West moved that Mr. Mims be added to said committee.

A House bill to be entitled,

An act for the construction of the Sataria Lake Dick Prairie
Levee, and for other purposes,

Was read the first time, and under a suspension of the rules,
read the second time, and

On motion of Mr. Starke,

It was referred to a select committee of three.

The President appointed as said committee,

Messrs. Starke, Neill and Oliver.

Mr. Oliver moved,

The orders of the day be dispensed with in order to call up a bill,

Which motion was lost.

A House bill to be entitled,

An act for the benefit of the Sheriff of Hinds county,

Was read once, and

On motion of Mr. Mims,

Was informally passed over.

A House bill to be entitled,

An act for the relief of S. Richmond,

Was read the first time, and under a suspension of the rule, read the second time, when

On motion of Mr. Huie,

It was referred to the committee on Claims.

A House bill to be entitled,

An act to aid indigent children in the county of Oktobbeha in procuring an education,

Which was read the first time, and under a suspension of the rule, read the second time, when

On motion of Mr. Harris,

It was referred to the committee on Education.

A House bill to be entitled,

An act to repeal an act entitled an act to amend an act entitled an act to authorize P. W. Hemphill, James Liddell and others, to erect a bridge or ferry over Big Black river, and construct a causeway through the swamp, where the road from Louisville to Carrollton crosses the same,

Was read the first time, and under a suspension of the rule, read the second time, and

On motion of Mr. Drane,

Informally passed over,

A House bill to be entitled,

An act for the relief of the heirs of Thomas Guinea, deceased,

Was read the first time, and under a suspension of the rule, read the second time, when

On motion of Mr. Neill,

It was referred to the committee on Claims.

A House bill to be entitled,

An act for the relief of Arthur K. Barlow, and for other purposes,

Was read the first time, and under a suspension of the rule, read the second time, and passed over informally.

Mr. Talliaferro moved,

To reconsider the vote referring the bill in relation to the heirs of Thomas Guiena to the committee on Claims,

When it was read the third time and passed,

The title standing as stated.

Mr. Drane called up,

House bill to authorize P. W. Hemphill and others to erect a bridge over Big Black river,

And offered the following amendment,

Which was adopted :

Amend by striking out section one and insert in lieu :

SECTION 1, *Be it enacted by the Legislature of the State of Mississippi,* That an act entitled an act to amend an act to authorize P. W. Hemphill, James Liddell, and others, to erect a bridge or ferry over Big Black river and construct a causway through the swamp where the road from Louisville to Carrollton crosses, together with the original bill of which it is an amendment, be and the same is hereby repealed,

The rules were suspended and the bill as amended read the third time and passed,

The title standing as stated.

A Senate bill to be entitled,

An act to compel the attendance of witnesses before the Grand Jury,

Under a suspension of the rules was read the third time, when,

On motion of Mr. Howry,

It was recommitted to a select committee of three.

The President appointed as said committee,

Messrs. Howry, Oliver and Neill.

The following message was received from the House of Representatives, through their Clerk, Mr. Brougher,

MR. PRESIDENT—

The House of Representatives has passed bills originating in the House of the following titles :

An act to declare Silver Creek, in Yazoo county, a navigable stream and for other purpose.

An act for the relief of Dinah Heath and her child Laura Ann.

An act for the relief of Martin Parkman, of Lawrence county.

An act to amend an act to provide for the punishment of crimes and misdemeanors.

An act to punish the crime of vagrancy.

An act to amend article 41, of section 9, of chapter 33, of the Revised Code of Mississippi.

On motion of Mr. Enloe,

The Senate adjourned until three o'clock this evening.

THREE O'CLOCK P. M.

The Senate met pursuant to adjournment.

Mr. Enloe gave the following notice :

I give notice that, on to-morrow or some subsequent day, I will ask leave to introduce,

A bill to be entitled,

An act to change the manner of paying Sheriffs in certain cases.

Mr. Howry, from the committee on the State University, made the following report :

MR. PRESIDENT—

The joint standing committee on the State University to whom was referred certain resolutions of the Board of Trustees of said University,

Have had the same under consideration and have instructed me to report the accompany bill to the Senate and to recommend its passage.

On motion of Mr. Howry,

The Senate proceeded immediately to the consideration of

A bill to be entitled,

An act to authorize the lease of a portion of the sections of land on which the University is located,

Which was read once,

And under a suspension of the rules read the second and third times, and passed,

The title standing as stated.

Mr. Starke called up,

A resolution offered by him on a former day of the session in relation to the election of a Commissioner to go to the State of Virginia,

And offered the following as a substitute :

WHEREAS, The Government of the United States is now in a condition of disorganization in its legislative department, because of a difference between the slaveholding and non-slaveholding States in their construction of the Constitution thereof, and the agitation and discussion of the slavery question, and whereas, the sovereignty and territory of the State of Virginia has been invaded by armed traitors to the Constitution and Union, and destroyers of the domestic tranquility and peace of the Southern States, and whereas, such invasion was promptly met and repelled by the descendants of that people who were first in declaring the rights of the colonies, and whereas, there are no indications or promises of peace and safety for the rights and honor of the menaced States in the future on the subject matter of controversy, and whereas, the Governor of the State of Virginia has invited a conference with the States who love and revere the Union, and whose safety, honor and peace are involved, and whereas, the State of Mississippi has always cherished the highest respect and admiration for the "mother" of States and statesmen, and her

Fidelity to the compact of Union between these States.

Therefore,

Resolved, That the Legislature of the State of Mississippi will, without delay, elect a Commissioner, whose duty it shall be to proceed immediately to the Capitol of the State of Virginia to confer with that ancient Commonwealth, or with any Commissioner or Commissioners thereof, and with the Commissioner or Commissioners, of any other State of this Union, who may be appointed to consider the danger impending over the Union, and especially the Southern States,—and to ascertain whether the matter in controversy between the two sections can be settled on a basis mutually satisfactory to them; and if in the judgment of such Commissioners, after free and full consultation and comparison of opinion, it shall be determined that the differences between the slaveholding and non-slaveholding States of this Union are irreconcilable, it shall then be the duty of the Commissioner of this State to consider in said conference the question of a peaceable separation of the slaveholding from the non-slaveholding States of this Union, and the adjustment of all questions relative to the disposition and division of the common property thereof.

Pending the discussion of these resolutions,

On motion of Mr. McCord,

The Senate adjourned until to-morrow morning 9 o'clock.

SATURDAY, Jan. 21, 1860.

The Senate met pursuant to adjournment.

The roll was called, and

The Journal of yesterday was read, corrected and approved.

Mr. McRae, asked and obtained leave, to introduce,

A bill to be entitled,

An act to grant a charter to Robert James for deepening the coast channels of the Gulf of Mexico within the jurisdiction of the State of Mississippi,

Which was read the first time,

And under a suspension of the rules read the second time, and

On motion of Mr. McRae,

Referred to the committee on Internal Improvement.

Mr. Howry, asked and obtained leave, to introduce,

A bill to be entitled,

An act to provide for the selection of Jurors in this State,

Which was read once,

And under a further suspension of the rules read a second time and,

On motion of Mr. Howry,

Referred to the Judiciary committee.

Mr. Huie presented the account of S. J. G. Jennings,

Which was referred to the committee on Propositions and Grievances.

Mr. Enloe introduced,

A bill to be entitled,

An act to change the manner of paying Sheriffs in certain cases,

Which was read once,

And under a suspension of the rules read the second time, and,

Referred to the Judiciary committee.

On motion of Mr. Chrisman,

The Senate proceeded to consider the following veto message of His Excellency Governor Pettus :

To the Senate of the State of Mississippi :

GENTLEMEN:—I herewith return,

A bill to be entitled,

An act to incorporate the Monticello Railroad Company,

Together with my objections to its becoming a law :

In section 17 of said bill it is provided that the jury in determining said damages, shall take into consideration the benefits resulting to said owner. Believing that this provision conflicts with the 13th section of article 1st of the Constitution of this State, which declares that no persons' property shall be taken or applied to public use, without the consent of the Legislature, and without just compensation being made; therefore, I deem it my duty to return said bill to the Senate for its reconsideration.

The Constitution, in my opinion, contemplates a compensation to be made in money. The compensation provided for in this bill, is the benefit resulting to owners of lands from the construction of the Railroad. Regarding this provision as unjust to the owners of property, which is to be taken for the benefit of the road, I respectfully asks its reconsideration before it becomes a law.

JOHN J. PETTUS.

Upon a call of the yeas and nays whether the Senate should pass the bill therein referred to, the Governor's veto to the contrary notwithstanding, the Senate unanimously concurred in the veto :

YEAS—Mr. President, Messrs. Brasier, Buchanan, Covington, Chrisman, Davis, Enloe, Harrison, Harris, Howry, Huie, McLain, Mims, Mason, McCord, McRae, Neill, Oliver, Rankin, Starke, Simonton, Thomson, Thames, Talliaferro, West and Wilson.

The special orders of the day were called for,

The resolutions offered yesterday by Mr. Starke were taken up, and,

On motion of Mr. McCord,

The Senate resolved itself into a committee of the whole for the purpose of considering said bill,

With Mr. McCord in the Chair.

Pending the consideration of the resolutions in the committee of the whole,

The following message was received from the House of Representatives, through their Clerk, Mr. Brougher.

MR. PRESIDENT—

The House of Representatives has adopted a joint resolution of instruction to the committee on Enrolled Bills, in relation to an amendment to a bill which has passed the Legislature entitled,

An act concerning Public Roads in the county of Coahoma,

In which the concurrence of the Senate is desired:

Resolved, [The Senate concurring,] That the joint committee on Enrolled Bills be and they are hereby instructed to insert in the 11th line of section three of the enrolled bill entitled,

An act concerning Public Roads in Coahoma county,

After the word township in said line, the words "or fractional township or portion of a township as aforesaid."

MR. PRESIDENT—

The House of Representatives has passed Senate bills of the following titles:

An act supplemental and amendatory of an act in relation to the Circuit and Chancery Courts of Tishomingo county, approved Dec. 14, 1859.

An act to establish a Turpike and Ferry or Bridge across Big Black river and bottom.

An act to incorporate the Holmes County Manufacturing Company.

An act to incorporate the Shubuta Toll Bridge Company, in the county of Clarke.

An act for the relief of Sarah C. Jacobs, and others,

An act to authorize the lease of a portion of the sections of land on which the University is located.

An act to amend an act entitled an act to incorporate the Male and Female Academies of Houston, county of Chickasaw,

And with an amendment in which the concurrence of the Senate is desired,

The Senate bill entitled,

An act to incorporate the Grenada, Houston, and Eastern Railroad Company.

The House of Representatives has adopted,

Resolutions in relation to the Southern Pacific Railroad.

After some time spent in committee of the whole and various amendments to the resolutions,

The committee arose and reported progress and asked leave to sit again on Monday at ten o'clock,

Which was received and agreed to.

On motion of Mr. Starke,

A bill to be entitled,

An act for the benefit of the family of the Hon. B. R. Webb, late Secretary of State,

Was taken up,

When Mr. Wilson offered the following amendment :

Amend by striking out the words,

“One-half to the widow and the other half to the eldest daughter,”

And insert in lieu thereof,

“Three-fourths to the widow and the other fourth to Miss Margaret A. Webb, his daughter.”

Mr. Chrisman moved,

The Senate adjourned until three o'clock this evening,

And Mr. Thomson moved,

That the Senate adjourn until Monday morning ten o'clock,

Which being put to the Senate,

Was lost.

And the question recurring upon the shortest time,

A division was called for,

When it was likewise lost.

Mr. McLain moved,

To lay the amendment offered by Mr. Wilson on the table.

Upon which a division was called for and decided in the affirmative.

Mr. McLain moved,

To strike out, in the original bill, the words eldest daughter, and insert Miss Margaret A. Webb,

Which was adopted,

And under a suspension of the rules the bill was read a third time and passed,

The title standing as stated.

Mr. Mason offered the following joint resolution,

Which, under a suspension of the rules, was read and adopted :

Resolved, [Unanimously by the Senate.] That a bill entitled an act to authorize the Directors appointed by the State of Tennessee to represent the interest of said State in the Mississippi Central Railroad Company, be withheld from the presiding officers of the two Houses, and that the unanimous consent of the House be asked to this effect.

Mr. Thomson moved,

To take up the House message,

A Senate bill, with House amendments thereto, to be entitled,

An act to incorporate the Grenada, Houston and Eastern Railroad Company,

Was taken up, and

On motion of Mr. Thomson,

The Senate concurred in the amendments separately.

Mr. Chrisman called up,

A House bill to be entitled,

An act for the relief of Morton Parkman, of Lawrence county,

Which was read once,

And under a suspension of the rules was read the second time, and,

On motion of Mr. Davis,

It was referred to the Judiciary committee.

Mr. Howry called up,

A Senate bill to be entitled,

An act to extend the provisions of an act for the relief of the State University of Mississippi for two years after 6th March next, and for other purposes,

And on his motion,

It was made the special order for Monday evening next at 7 o'clock.

On motion of Mr. Drane,

The Senate adjourned until Monday morning 9 o'clock.

MONDAY, Jan. 23, 1860.

The Senate met pursuant to adjournment.

The roll was called.

The Journal of yesterday was read and approved.

Mr. Howry presented the memorial of citizens of Lafayette county in relation to itinerant pedlars,

Which was read, and

Referred to the committee on Finance.

Mr. Huie presented the proceedings of a meeting of the citizens of Good Hope, Leake county, in relation to a branch Railroad from the Southern Railroad at Morton to Good Hope.

Which was read, and,

On motion of Mr. Huie,

Together with a bill to incorporate the Leake County Railroad Company,

Was referred to the committee on Internal Improvements.

Mr. Mason presented the petition of Emmorilla Jeffries,
 Which was read, and,
 On motion of Mr. Starke,
 Referred to a select committee of three.
 The President appointed as said committee,
 Messrs. Starke, Mason and Neill.
 Mr. Rankin presented a memorial of the Board of Police of
 Jones county,
 Which was
 Referred to the committee on Propositions and Grievances.
 The following message was received from the Governor through
 his Private Secretary, Mr. Campbell:

EXECUTIVE OFFICE, }
 Jackson, Miss., Jan. 23, 1860. }

MR. PRESIDENT—

I herewith transmit to the Senate a message of the Governor,
 relative to our Federal Relations.

Mr. Neill presented the memorial of B. Moreman and others,
 Which, without being read, were
 Referred to the committee on Propositions and Grievances.
 Mr. Howry made the subjoined report:

MR. PRESIDENT—

The select committee to whom was referred,
 The bill to be entitled,
 An act to compel the attendance of witnesses before the Grand
 Jury.

Have had the same under consideration, and instructed me to
 report the same back to the Senate, with an amendment, of an ad-
 ditional section to follow section 1, and to recommend that the
 bill and said amendment do pass.

On motion of Mr. Howry,
 An act to compel the attendance of witnesses before the Grand
 Jury,

With amendments.

Was read,

The rule suspended, read second time, and the following amend-
 ment adopted.

Amend as follows after 1st section—

SEC. 2. *Be it further enacted*, That in all suits brought by any
 District Attorney in this State, on any Sheriff's bond for the use
 and benefit of any private individual, the said District Attorney

shall be entitled to a commission of 5 per cent. on the amount collected by him.

On motion of Mr. Howry,

The bill was considered as engrossed, read the third time, and passed,

And the title changed by adding "and for other purposes.

Mr. Quin offered the following resolution :

Resolved, By the Senate, (the House concurring,) That no new propositions or business will be entertained or considered by the Legislature at its present session, from and after Saturday, the 28th inst.

Mr. West offered the following amendment :

Amend by adding,

And that this Legislature adjourn on the following Saturday, 12 o'clock M.

Mr. Howry moved,

To lay the resolution and amendment on the table, and made the special order for Friday morning 10 o'clock,

Which was agreed to :

Mr. Thames offered the following resolution,

Resolved, By the Senate (the House concurring,) That the Governor is hereby authorized to cause the cannon presented to the State of Mississippi by the late General John Anthony Quitman, now in front of the Capitol, to be conveyed to the Penitentiary and there equipped in a manner alike creditable to the donor and recipient of the same,

Which was read once, and

Under a suspension of the rules,

Was read the second time, and passed.

Mr. Davis, from the committee on Enrolled Bills, made the following reports,

Which were received and agreed to.

MR. PRESIDENT—

The committee on Enrolled Bills have examined a bill entitled :

An act supplemental to, and amendatory of an act in relation to the Circuit and Chancery Courts of Tishomingo county, approved December 14th, 1859.

And report that they find the same correctly Enrolled.

Mr. Starke called up from the table the following message from Governor Pettus, which,

On motion of Mr. Catchings,

Was laid on the table, and 200 copies ordered to be printed, with accompanying documents, for the use of the Legislature.

EXECUTIVE OFFICE,
City of Jackson, Miss., Jan. 23, 1859. }

To the Senate and House of Representatives :

GENTLEMEN:—I herewith transmit for your consideration, resolutions unanimously passed by the Legislature of South Carolina, in relation to Federal affairs.

The resolution, declaring that it is the deliberate judgment of the General Assembly, that the slaveholding States should immediately meet together, and concert measures for united action, meets my unqualified approval ; and, I earnestly recommend that Mississippi respond favorably to the invitation, and that such measures be adopted as may be necessary to have this State fully represented in the convention.

While preparing to meet our Southern sister States to concert united action, would it not be well for Mississippi to go as far as her constitutional obligations will permit, in so arranging her revenue laws, as to make her commerce less profitable to those who make war on her rights, and those who neglect the performance of their duty, as citizens, by failing to go to the polls and vote down the disturbers of the national peace ? If it is true that tens of thousands of citizens of the free States do not vote, who, if awakened to a full knowledge of their danger, would go to the elections and put out of power those who have been fanning the flames of discord between the sections, would it not be wise to make some effort to compel them to lift their eyes from their private affairs and give some thought to their constitutional obligations to the citizens of the assailed States ?

I see no mode of awakening the attention of the Northern people to the injuries done, and the greater injuries threatened the Southern States, by the anti-slavery men of the North, than by refusing, as individuals, to continue to be their customers for the various commodities manufactured by them ; and, as States, by imposing a tax on such commodities when offered for sale by merchants, within the State. The disregarding of their constitutional obligations, has been the cause of great loss of property to our citizens, and has compelled the State to expend large sums of money in preparing means of defense ; and, it is but just, that the State should collect her revenue, without special regard to the interest and convenience of those States that have exhibited no respect for our interest, our honor, or our safety. I, therefore, recommend that such a tax, say five or ten per cent., be levied on all goods, wares and merchandize, not manufactured in Mississippi, that may be offered for sale in this State, as will most effectually relieve our citizens from the burthen of the expensive preparation for their defense.

Should some inconvenience result to us from this, I doubt not that there will be found patriotism enough among the people to

prompt them to imitate the example of their fathers, and submit to any privation, rather than continue to enrich those who persist in a course, which must end in the political degradation and pecuniary ruin of themselves and their children hereafter. Should this course result in an increase of Southern Manufactures, it will render us more independent; should it lead to a less expensive mode of living and dress, it will add to our prosperity as a people, and strengthen the State against her day of trial.

Nor ought the literature of the North to be exempt from this tax, as it is the medium through which our enemies have sought to poison the minds of the masses. It should be made to contribute to the cure of the evils it has caused; and I, therefore, recommend the passage of a law requiring all book agents, who come to this State for the purpose of soliciting subscriptions for any book not printed in the State of Mississippi, to apply for and obtain license in each county through which they may pass on such business, under such penalty for refusing or neglecting the same as will ensure compliance therewith; and, I also recommend, that such fine be fifty dollars for each county.

If these measures meet the approval of the Legislature, I submit it to your better judgment, whether it would not be well to ask the co-operation of our Southern sister States in this line of policy.

JOHN J. PETTUS.

EXECUTIVE DEPARTMENT,
Columbia, S. C., Dec. 30th. 1859.

HIS EXCELLENCY, WILLIAM McWILLIE—

Dear Sir:—I have the honor to enclose you certain resolutions which passed unanimously both branches of the Legislature of South Carolina; in one of which is an earnest request that your State will appoint deputies, and adopt such other measures as will promote the meeting of the slave-holding States in Convention.

You will see by the preamble to the resolutions that South Carolina, as a sovereign, claims the right to secede whenever she may think it expedient to do so but she much prefers concerted action, and is willing to follow any lead.

Be pleased to submit the resolutions to your Legislature at the earliest moment.

With great respect, and consideration,

I am yours, truly,

WM. H. GIST

RESOLUTIONS IN RELATION TO STATE AND FEDERAL AFFAIRS.

Whereas, The State of South Carolina, by her Ordinance of A. D. 1852, affirmed her right to secede from the Confederacy, whenever the occasion should arise justifying her in her own judgment in taking that step; and in the resolution adopted by her Convention, declared that she forebore the immediate exercise of that right, from considerations of expediency only.

And Whereas, More than seven years have elapsed since that Convention adjourned, and in the intervening time the assaults upon the institution of slavery, and upon the rights and equality of the Southern States, have unceasingly continued, with increasing violence, and in new and more alarming forms; Be it therefore,

1st. *Resolved, Unanimously*, That the State of South Carolina, still deferring to her Southern sisters, nevertheless respectfully announces to them, that it is the deliberate judgment of this General Assembly, that the slave-holding States should immediately meet together to concert measures for united action.

2d. *Resolved, Unanimously*, That the foregoing preamble and resolutions be communicated by the Governor to all the slave-holding States, with the earnest request of this State that they will appoint deputies, and adopt such measures as in their judgment will promote the said meeting.

3d. *Resolved, Unanimously*, That a Special Commissioner be appointed by his Excellency, the Governor, to communicate the foregoing preamble and resolutions to the State of Virginia, and to express to the authorities of that State the cordial sympathy of the people of South Carolina with the people of Virginia, and their earnest desire to unite with them in measures of common defence.

4th. *Resolved, Unanimously*, That the State of South Carolina owes it to her own citizens to protect them and their property from every enemy, and that for the purpose of military preparations for any emergency, the sum of one hundred thousand dollars (\$100,000) be appropriated for military contingencies.

IN THE HOUSE OF REPRESENTATIVES, Dec., 16, 1859.

Resolved, That the House do agree to the Resolutions.

Ordered, That they be sent to the Senate for concurrence.

By order,

JOHN T. SLOAN, C. H. R.

IN THE SENATE, December 22, 1859.

Resolved, That the Senate do concur in the Resolutions.

Ordered, That they be returned to the House of Representatives.

By order,

WM. E. MARTIN, C. S.

Mr. Neill, from the Joint Standing Committee on State Geology, made the following report:

Which was received and agreed to.

MR. PRESIDENT—

The Joint Committee upon the Agricultural and Geological Survey of the State, have had under consideration all the documents referred to in the special message of the Executive upon that subject, and have instructed me to report the mode that was adopted in their investigations of the subject, and to present to the Senate a synopsis of the progress that has been made by the State Geologist in his field and office labors; and also to report the accompanying bill to meet the wants and necessities of the survey, and to give to it that efficiency and expedition that the interest of the State requires.

The committee have read in full Document A, which contains a general statement of the plans pursued by the State Geologist in his examinations. The field work, which is the preliminary step, embraces an accurate observation, on the spot, of the various kinds of soil, their mode of occurrence, geographical distribution, vegetation etc., and the collection, from the lips of the agriculturists, of all experience heretofore had in the cultivation of the several soils. Also, the observation of the geological formations, their correlations with the soils, and the adaptedness of the materials composing them for the purposes of the agriculturist, or other technical pursuits. Also, an examination of the waters, natural or obtained in wells; their qualities either for common use or medical purposes; the feasibility of wells, common or artesian; in fine, a full investigation of all natural phenomena bearing on agricultural or technical pursuits.

Specimens having been taken, in accordance with a regular system, of all chief varieties of soils, subsoils, marls, rocks, etc., such of these as may require a chemical analysis to ascertain their character, are to be subjected to this process, (requiring a stationary laboratory equipped for the purpose, and about three days time each on an average. These analyses taken in conjunction with the field observations as above described, and discussed in connection with these by the State Geologist, will form the basis of a rational system of culture for each soil; and the whole will form a summary as complete as may be of the character, aspect, surface

conformation and adaptedness to the various technical pursuits of all parts of the State.

It is also stated that in consequence of the want of a chemical laboratory, the labors of the present incumbent, since his appointment in March, 1858, have been chiefly in the field; and during that time he has visited and given examinations more or less detailed, to the counties (or parts of counties) of Lafayette, Tippah, Pontotoc, Chickasaw, Choctaw, Calhoun, Yallobusha, Carroll, Holmes, Attala, Leake, Winston, Noxubee, Kemper, Lauderdale, Madison, Hinds, Rankin, Simpson, Smith, Jasper, Clarke, Wayne, Greene, Jackson, Harrison, Hancock, Marion, Pike, Lawrence, Franklin, Jefferson and Claiborne; while previously, the counties of Tishomingo, Itawamba, Monroe, Lowndes, Perry and Wilkinson had been visited by him. The survey is not, however, considered as completed by him in any of these counties; this cannot be done at once; the analyses which cannot be made in the field always suggesting new points of investigation. Besides a large amount of special matter, the examinations thus far made have furnished material for a pretty complete general geological and agricultural map of the State. The outlines being all determined, the field work yet to be done consists chiefly of filling up specialties. During five months of the present year, the Geologist has been engaged in laboratory work; he having advanced from his private funds the amount required to complete the laboratory arrangements—as stated in his last year's report on the condition of the survey.

During the period mentioned, 45 analyses of soils, marls, rocks, etc., have been made; and about 350 specimens of this character put up in bottles and properly labelled, have been transferred from Oxford to Jackson, and are now deposited in the Geological Room in the Capitol. Of these specimens, about 200 await analysis.

The committee have also examined, by reading detached portions Document B, embracing about 400 letter pages, and entitled "Agricultural Report;" it is subdivided into a general and a special part. The general part sets forth the general principles of Agricultural Chemistry and Rational Agriculture, illustrated by examples from this State, and with special reference to the agricultural practice of Mississippi. It treats of the origin, properties and composition of soils and manures, and of the preparation and uses of the several kinds of manure accessible to our planters, both natural and artificial, and finally of the several methods of culture, their respective merits and applicability, and of the several methods of reclaiming worn-out land, and of maintaining the fertility of soils.

The special part (which is not as yet completed, owing to the late continuance of the chemical works and the copiousness of material on hand) the committee have had under examination two divisions—one entitled "the Flatwoods Region, embracing

parts of the counties of Tippah, Lafayette, Pontotoc, Chickasaw, Calhoun, Choctaw, Oktibbeha, Winston, Noxūbee and Kemper;" the other, entitled "the Sea Coast counties." Of both these, detached portions have been read; they contain descriptions, more or less detailed, of the regions in question, in accordance with the plan laid down in Document A, as far as at present practicable. It is stated by the State Geologist, that the manuscript when completed according to the present plan, (it being in speedy progress,) will contain from 700 to 800 letter pages, equal to about 400 printed octavo pages.

The financial condition of the survey and its wants have been examined, and provided for by the bill before alluded to, the passage of which I am instructed to recommend.

A bill to be entitled,

An act to prosecute the Geological Survey of the State of Mississippi, and for other purposes,

Was read once,

And under a suspension of the rules was read the second time, when,

On motion of Mr. Neill,

It was made the special order for 11 o'clock Thursday next, Jan 23.

Mr. Harrison introduced,

A bill to be entitled,

An act to incorporate the Aberdeen Masonic Male High School.

Was read, and

Informally passed over.

On motion of Mr. Starke,

The Senate resolved itself into a committee of the whole on State and Federal affairs, with Mr. McCord in the Chair.

Pending the committee of the whole,

The following message was received from the House of Representatives, through their Clerk, Mr. Brougher,

MR. PRESIDENT—

The House of Representatives has passed Senate bills of the following titles:

An act to amend the 64th chapter of the Revised Code, entitled an act to provide for the punishment of crimes and misdemeanors.

An act to amend the 63d chapter of the Revised Code, entitled an act to organize and to define the powers of the High Court of Errors and Appeals.

An act to protect persons and property on Railroads in this State.

Has concurred in the Sena'e amendment to the House bill entitled,

An act to repeal an act entitled an act to amend an act entitled an act to authorize P. W. Hemphill, James Liddell, and others, to erect a bridge or ferry over Big Black River, and construct a causeway through the swamp where the road from Louisville to Carrollton crosses the same.

And has passed House bills of the following titles, viz :

An act for the benefit of the Probate Judges of Hinds and other counties.

An act to incorporate the Southern Insurance Company.

An act to prohibit the sale and gratuitous distribution of vinous, spirituous and fomented liquors within two miles of Westville Seminary, in Simpson county, and for other purposes.

An act for the relief of D. H. Shepherd, of Calhoun county, and John Winegar, of Tishomingo county.

An act to authorize the removal and location of the seat of justice of Copiah county.

An act to appoint Commissioners of the town of Delta.

An act for the relief of William O. Howard, of Coahoma county.

An act to revive certain acts in relation to the town of Friar's Point.

An act for the relief of the the widow and heirs of Magnus L. Maynard.

An act for the relief of Thomas W. Broughton, Treasurer of Claiborne county.

An act to incorporate the town of Meadville, in Franklin county:

An act to authorize Margaret C. Graves to convey property, and for other purposes.

An act for the relief of B. F. King.

An act to prohibit the sale of vinous or spirituous liquors in three miles of Snow Creek P. O., in Marshall county.

An act granting to the corporate authorities of the town of Pannola power to contract for the building of a hotel in said town.

An act for the relief of the widows and heirs at law of David Robinson, deceased.

An act to confirm the sale of fractional lot No. 7 north, in the city of Jackson made by the Auditor and Treasurer of the State to Robert A. Clark, and for other purposes.

An act to change the time of holding the Police Court in the county of Rankin.

An act to release to the heirs of Wm. H. Compton the interest of the State of Mississippi, in and to certain lands therein designated.

An act to repeal the law incorporating the town of Raleigh, in Smith county.

An act to explain an act entitled an act for the relief of A. B. Montgomery and Bayless P. Shelby.

An act to regulate the trial of slaves for capital offences.

An act to amend an act establishing Circuit Courts &c., so far as it relates to the compensation of witnesses,

Also,

A memorial of the Legislature of the State of Mississippi to the Congress of the United States in relation to the establishment of a Navy Yard at the Bay of Biloxi, in said State.

Also,

House bill entitled,

An act for the relief of William A. Land, and the heirs of J. G. Wilson, deceased.

MR. PRESIDENT—

The House of Representatives has concurred in the joint resolution of the Senate in relation to

A bill entitled,

An act to authorize the Directors appointed by the State of Tennessee, to represent the interest of said State in the Mississippi Central Railroad Company.

The House of Representatives has passed,

A resolution of instruction to the committee on Public buildings.

In which the concurrence of the Senate is desired.

And has passed House bills entitled,

An act to incorporate the city of Meridian.

An act to amend article 12, of chapter 20 of the Revised Code of Mississippi.

An act to legalize the leases of certain sixteenth section lands in Kemper county.

An act in relation to the clerks in the Auditors office.

After some time passed in discussion of the resolutions, the committee arose, reported progress, and asked leave to sit again at three o'clock.

On motion of Mr. McCord,

The Senate adjourned until 3 o'clock P. M.

THREE O'CLOCK P. M.

The Senate met pursuant to adjournment.

The President being absent, Mr. Starke called the Senate to order.

Mr. West introduced,

The petition of B. F. Wilkinson,

Which, on his motion, without being read, was referred to the committee on Claims.

Mr. Neill moved,

The Senate resolve itself into a committee of the whole on State and Federal Relations.

Mr. McCord in the Chair.

The committee rose reported progress, and asked leave to sit again to-morrow morning 10 o'clock.

Mr. McCord moved,

The report be received,

And upon the motion to agree,

Mr. Howry moved,

To amend the report by recommending that the Senate appoint a committee to whom the resolutions pending the committee of the whole should be referred.

Mr. Howry moved,

The President appoint a committee of five.

The President appointed as said committee,

Messrs. Oliver, Mason, Howry, Simonton and Covington.

Mr. West asked leave to call up,

Resolutions offered by him as a substitute for the resolutions of the committee on State and Federal Affairs.

Mr. Mims asked leave to withdraw a resolution offered by him on last Tuesday.

Mr. Mims asked and obtained leave to introduce,

Resolutions to be referred to the select committee on State and Federal Affairs.

Mr. McRae asked to refer a resolution introduced by him in the committee of the whole, to the same committee.

Mr. West asked and obtained leave to amend his resolutions by striking out in 9th resolution "or other foreign power."

On motion of Mr. McLain,

They were referred to the same committee.

Which he subsequently withdrew,

When Mr. Neill renewed the motion to refer the resolution to the select committee.

Mr. Neill moved,

To take up,

A bill to be entitled,

An act to extend the provisions of an act for the relief of the State University, approved March 6th, 1856, to the University of Mississippi for two years after 6th March next, and for other purposes.

Which,

On motion of Mr. Thomson,

Was laid on the table,

And made the special order of the day for to-morrow evening 4 o'clock.

On motion of Mr. Thomson,

The Senate adjourned until to-morrow morning at 9 o'clock.

TUESDAY, Jan. 24, 1860.

The Senate met pursuant to adjournment,

With Mr. Starke in the Chair.

The roll was called, and

The Journal of yesterday was read and approved.

Mr. Drane being absent.

On motion of Mr. Neill,

The Hon. P. B. Starke, the now presiding officer, was declared President *pro tem.*, of the Senate, during the absence of the President, by acclamation.

Mr. McRae presented the petition of the citizens of Shieldsborough,

Which was read once,

And referred to the committee on Propositions and Grievances,

Mr. Quin presented the petition of A. J. Smith,

Which was read once,

And referred to the Judiciary committee.

Mr. Neill moved,

A reconsideration of the vote by which it was referred to the Judiciary committee,

And then moved to lay the petition on the table,

Which was lost.

When he moved,

Its reference to the Judiciary committee.

Mr. Buchanan made the following report,

Which was received and agreed to.

MR. PRESIDENT—

The committee on Propositions and Grievances to whom was referred,

A bill to be entitled,

An act to prohibit the sale of vinous and spirituous liquors in township 21, of range 4 East, in the county of Carroll,

With an accompanying petition, have had the same under con-

sideration, and have instructed me to report the bill back to the Senate, and recommend its passage.

Mr. Neill moved,

That the Senate consider,

A bill to be entitled,

An act to prohibit the sale of vinous and spiritous liquors in township 21, of range 4 East, in the county of Carroll,

Which was read once,

And under a suspension of the rules, read the second and third times and passed,

The title standing as stated.

Mr. Oliver made the following report,

MR. PRESIDENT—

The select committee to whom was referred various resolutions on State and Federal Affairs,

Have had the same under consideration and beg leave to submit the following resolutions :

1st. *Resolved, By the Legislature of the State of Mississippi,* That the Constitution of the United States recognizes property in slaves, and the government erected by it cannot, nor can any tribunal acting under its authority, whether it be legislative, executive or judicial, within its appropriate sphere, justly withhold from the owners of slaves that adequate protection for their slave property to which the owners of property of other kinds are entitled, or which, from its nature, they may further require to secure them in its possession and enjoyment.

2d. That the election of a President of the United States by the votes of one section of the Union only, on the ground that there exists an irreconcilable conflict between the two sections in reference to their respective systems of labor, and with an avowed purpose of hostility to the institution of slavery as it prevails in the Southern States, and as recognized by the compact of Union, would so threaten a destruction of the ends for which the Constitution was formed, as to justify the slaveholding States in taking counsel together for their separate protection and safety.

3d. That in order to be prepared for such a contingency, Mississippi accepts the invitation of South Carolina to her sister slaveholding States to meet in Convention, and propose the 1st Monday in June next, and Atlanta, Georgia, as a suitable time and place to meet to counsel together and determine the action they will take in such an event—which action shall be reported to the Governor, and if a Convention of all the States, or of Southern States, be recommended, the Governor is hereby instructed to issue his proclamation, causing elections in each Congressional District, for the election of delegates to a Convention of States to adopt such course of policy as our honor and safety may require, the number of delegates in such Convention to correspond with

the number of Representatives in the Congress of the United States, and that this Legislature, at its present session, proceed to elect seven delegates to attend the Convention at Atlanta.

4th. That a Commissioner be appointed, by this Legislature, to proceed to the Capitol of Virginia, and express to the people of that ancient Commonwealth, through her Executive, the indignation that Mississippi feels at the outrage committed in the recent invasion of her soil, and the readiness and determination of Mississippi to unite with her or any other slaveholding State in repelling any assailment of their people or their rights—and that said Commissioner, also, present to her Executive a copy of these resolutions, and invite her co-operation in the proposed Convention.

5th. That the Governor of this State be requested to transmit a copy of these resolutions to the Governors of each of the slaveholding States of the Union to be laid before their Legislatures, and invite their co-operation.

Mr. Howry asked and obtained leave to introduce,

A bill to be entitled,

An act to increase the pay of Jurors,

Which was read the first time,

And under a suspension of the rules, read the second time.

When Mr. West offered the following amendment:

Strike out two dollars, and insert in lieu thereof, two dollars and fifty cents.

Upon the adoption of which a division was called and the amendment lost by a vote of nine in the affirmative and ten in the negative.

The bill was read the third time,

When Mr. Thomson offered an amendment by way of rider,

Which was withdrawn.

Mr. Wilson moved,

To reconsider the vote by which the rule was suspended and the bill read the third time,

Which was adopted.

When Mr. West moved,

Its reference to a select committee of three.

The President appointed as said committee,

Messrs. West, Howry and Thomson.

Mr. West asked to be excused,

And Mr. Davis appointed in his stead.

Mr. Simonton made the following report,

Which was received agreed to.

MR. PRESIDENT—

The select committee to whom was referred,

An act entitled an act to reduce into one the several acts incorporating the town of Okalona, in the county of Chickasaw,

Have had the same under consideration, and have instructed

me to report the same back with the following amendments, and recommend its passage.

1. Amend by inserting after the word both, in the sixteenth line of the sixth section, to support the Constitution of the United States and the State of Mississippi, so long as I continue a citizen thereof, and

2. Amend by striking out all after the word have, in the one hundred and fourteenth line of section seven, to the word provided, in the one hundred and twenty-first line of the same section, and insert, power to grant license to any free white person, resident within said town, to sell, by retail, vinous and spiritous liquors within the limits of said town under the restrictions in the fourth article of chapter twenty of the Revised Code of Mississippi to Board of Police.

3. Amend by striking out after the word resignation, in the fourth line of the tenth section, the words President of the Board of Selectmen, and insert the words some acting Justice of the Peace in the same Police District.

4. Amend by striking out the eighteenth section.

Mr. Thomson moved,

To make the bill and amendments the special order for tomorrow morning at 10 o'clock.

On motion of Mr. Neill.

Mr. Howry was added to the Judiciary committee.

Mr. West asked and obtained leave to call up,

A House bill to be entitled,

An act to authorize the Board of Police of Holmes county to salary its Secretary and publish its proceedings,

Which he moved to lay on the table.

Mr. Oliver called for the orders of the day.

When the Senate resolved itself into a committee of the whole on State and Federal relations,

With Mr. McCord in the Chair.

Pending the committee of the whole,

The following message was received from the House of Representatives, through their Clerk, Mr. Brougher,

MR. PRESIDENT—

The House of Representatives has passed House bills of the following titles, viz :

An act to provide for and establish common schools in the county of Noxubee.

An act to constitute the injury or killing of animals a misdemeanor in certain cases.

An act further to remedy the evils occasioned by the burning of the Court-House of Attala county.

An act to prevent the sale of vinous and spirituous liquors in township 11, range 5 East, in Claiborne county.

An act to authorize the substitution of pleadings, and for other purposes.

An act to authorize the proof of open accounts in certain cases.

After some time spent in the discussion of the resolutions, the committee rose, reported progress, and asked leave to sit again at three o'clock this evening,

Which, on motion of Mr. McCord,

Was received and agreed to.

On motion of Mr. Davis,

The Senate adjourned till three o'clock P. M.

THREE O'CLOCK P. M.

The Senate met pursuant to adjournment,

And upon a call of the roll no quorum being present,

Mr. Rankin moved,

A call of the Senate,

When the following Senators were present,

Messrs. Brasier, Buchanan, Covington, Davis, Enloe, Mason, McCord, McRae, Neill, Oliver, Rankin, Starke, Thomson, Thames, West and Wilson.

The doors being closed.

Mr. Simonton was announced by the Door-Keeper, and was excused.

Mr. McLain was announced and also excused.

Mr. Neill moved,

To dispense with the call,

The hour having arrived for the special order of the day,

The Senate resolved itself into a committee of the whole upon Federal relations.

After some time spent in discussion, the committee arose, reported progress, and asked leave to sit again to-morrow morning at ten o'clock.

Mr. Howry called up,

A bill to be entitled,

An act to extend the provisions of an act for the relief of the State University, approved March 6, 1856, to the University of Mississippi for two years after 6th March next, and for other purposes,

Which was read the second time, and

On motion of Mr. Harris,

Made the special order for to-morrow evening three o'clock.

On motion of Mr. Enloe,

The Senate adjourned until to-morrow morning 9 o'clock.

WEDNESDAY, Jan. 25, 1860.

The Senate met pursuant to adjournment, the roll was called,
And the Journal of yesterday was read and approved.

Mr. Enloe moved,

That the regular order of business be dispensed with,
When he moved,

To refer that portion of the Governor's last message relating
to Federal affairs to the committee on State and Federal relations.

The part relating to tax to the Finance committee,

And the portion relative to Northern literature to the committee
on Education.

Mr. Mims introduced,

The petition of Jerome B. Yates,

Which, on his motion,

Was referred to a select committee of three.

The President appointed as said committee,

Messrs. Mims, McRae and Catchings.

Mr. Neill, from the committee on the Judiciary, made the fol-
lowing report :

Which was received and agreed to.

MR. PRESIDENT—

The committee on the Judiciary to whom was referred,

A bill regulating the sale of lands held by the State as delin-
quent for taxes in the counties of Tunica, Coahoma and Sun-
flower,

Have had the same under consideration and have instructed me
to report the same back to the Senate and recommend that it do
not pass.

On motion of Mr. Howry,

The Senate reconsidered the vote by which the report was
received,

After which, it was again received and agreed to.

Mr. Neill, from the Committee of Judiciary, made the follow-
ing report,

Which was received and agreed to.

MR. PRESIDENT—

The committee on the Judiciary to whom was referred,

An act to amend article 40 of the attachment law of this State,
Have instructed me to report the same back to the Senate
and recommend that it do pass.

On motion of Mr. Neill,

A bill to be entitled,

An act to amend article No. 40 of the attachment law of this
State,

Which, under a suspension of the rules, was read the third time and passed,

The title standing as stated.

Mr. Neill, from the committee on the Judiciary, made the following report :

Which was received and agreed to.

MR. PRESIDENT—

The committee on the Judiciary, to whom was referred,

A bill authorizing the State to prosecute writs of error, &c., in certain cases,

Have had the same under consideration and have instructed me to report the same back to the Senate and recommend that it do not pass.

The hour having arrived for the special orders,

On motion of Mr. Thomson,

They were dispensed with.

Mr. Neill, from the committee on the Judiciary, made the following report :

Which was received and agreed to.

MR. PRESIDENT—

The committee on the Judiciary to whom was referred,

A bill to change the manner of paying Sheriffs in certain cases,

Have had the same under consideration and have instructed me to report the same back to the Senate and recommend that it do pass.

On motion of Mr. Howry,

The Senate proceeded to the consideration of,

A bill to be entitled,

An act to change the manner of paying Sheriffs in certain cases,

Which, under a suspension of the rules, was read the third time and passed,

The title standing as stated.

Mr. Neill, from the committee on the Judiciary, made the following report,

Which was received and agreed to.

MR. PRESIDENT—

The committee on the Judiciary to whom was referred,

A bill making further exemption of persons from jury and military service,

Have had the same under consideration, and have instructed me to report the same back to the Senate, and recommend that it do not pass.

Mr. Neill, from the committee on the Judiciary, made the following report,

Which was received and agreed to :

MR. PRESIDENT—

The committee on the Judiciary to whom was referred,

A bill to provide for and regulate divorces,

Have had the same under consideration, and have instructed me to report the same back to the Senate, and ask to be discharged from the further consideration of the same.

A bill to be entitled,

An act to provide for and regulate divorces,

Was considered by the Senate,

When Mr. Oliver moved,

A suspension of the rules,

And the bill was read third time and upon its passage the yeas and nays were called,

With the following result :

YEAS—Messrs. Brasier, Buchanan, Catchings, Covington, Harrison, Howry, McLain, Oliver Quin, Rankin, Starke, Simon-ton, Thomson and Thames.—14.

NAYS—Messrs. Davis, Enloe, Huie, Mims, Mason, McCord, McRae, Neill, West and Wil on.—10.

Mr. Harris was excused from voting.

The following message was received from the House of Representatives, through their Clerk, Mr. Brougher.

MR. PRESIDENT—

The House of Representatives has passed the following entitled House bills :

An act to change the name of Walter Stanley to Walter Washington Griffis, and constitute him the heir at law of Martin L. Griffis of DeSoto county.

An act to amend the laws relative to estrays.

An act to prohibit the sale of intoxicating liquors in the town of Chesterville and vicinity, in Pontotoc county.

An act for the relief of Jos. R. Milam.

A bill to amend an act entitled an act to incorporate the New Orleans & Ohio Telegraph Lessees, and to change the name to that of the South Western Telegraph Company.

An act to reduce the penalty of the bonds of Justices of the Peace and Constables, in the county of Hancock.

Mr. Davis, from the committee on Enrolled Bills, made the following report,

Which was received and agreed to.

MR. PRESIDENT—

The committee on Enrolled Bills have examined bills entitled :

An act to authorize the lease of a portion of the sections of land on which the University is located.

An act to incorporate the Shoboota Toll-Bridge Company, in the county of Clark.

An act to extend the time for holding the Police Court of Tishomingo county.

An act to refund to Railroad Companies the amount of Railroad tax collected by the Auditor of Public Accounts.

An act to amend article eight, section one of chapter fifteen of the Revised Code.

An act to authorize the republishing of an act herein defined.

■ An act to amend the sixty-fourth chapter of the Revised Code entitled an act to provide for the punishment of crimes and misdemeanors.

An act to protect persons and property on Railroads in this State.

An act to amend an act entitled an act to incorporate the Male and Female Academies of Houston, county of Chickasaw.

An act to amend sixty-third chapter of the Revised Code entitled an act to organize and to define the powers of the High Court of Errors and Appeals.

An act for the relief of Sarah C. Jacobs and others.

A resolution granting leave of absence to Wm. Cothran.

An act to change the time of holding the Circuit Court of Scott county.

An act to exempt certain lands from taxation.

An act to establish a turnpike, ferry or bridge across Big Black river and bottom,

All of which they have found correctly enrolled.

Mr. Mims introduced,

A bill to be entitled,

■ An act to empower the Inspectors of the Mississippi Penitentiary to contract for and purchase a certain lot of land therein described,

Which was read once,

And under a suspension of the rules read the second time, and,

■ Referred to the committee on the Penitentiary.

On motion of Mr. McCord,

The Senate resolved itself into a committee of the whole on State and Federal Affairs,

Mr. McCord in the Chair.

After much discussion, the committee rose, reported back the resolutions, and recommended their adoption.

On motion of Mr. McCord,

The report was received and agreed to.

The following message was received from the Governor, through his Private Secretary, Mr. Campbell,

EXECUTIVE OFFICE, }
City of Jackson, Jan. 25, 1859. }

MR. PRESIDENT—

The Governor did on the 24th instant, sign and approve,
Senate bill entitled,

An act for the benefit of the Mississippi State Lunatic Asylum.

An act to annex certain additional townships to the First District
of the Circuit and Chancery Courts of Hinds county.

An act for the relief John H. Sulton of Attala county.

An act supplemental to and amendatory of an act in relation to
the Circuit and Chancery Courts of Tishomingo county, approved
December 14, 1859.

An act to repeal a portion of an act entitled an act declaring
Chowappa, Old Town and Bar Creeks navigable streams, ap-
proved Feb. 5th, 1840.

Resolution requiring the State Treasurer to furnish his annual
report or to assign some reason for withholding it.

An act making appropriation for the fitting up and furnishing
the Executive Mansion.

An act to refer to the legal voters of Buena Vista and vicinity,
Chickasaw county, the question of the sale of vinous and spiritous
liquors, within a certain prescribed boundary.

An act to allow Druggists in the town of Hernando, DeSoto
county, to sell vinous and spirituous liquors for sacramental or
medical purposes.

A bill for the relief of Johnson M. Hooper.

A bill for the relief of the estate of Lott W. Ellis, de-
ceased.

An act to amend the Charter of the city of Jackson.

On motion of Mr. Neill,

The resolutions were ordered to be engrossed for a third read-
ing to-morrow at 3 o'clock P. M.,

Which he withdrew to enable Mr. Thomson to offer the follow-
ing amendment.

Resolved, 3d, That in order to be prepared for such a contin-
gency, Mississippi accepts the invitation of South Carolina to her
sister slave-holding States to meet in convention, and proposes the
4th Monday in November next, and Atlanta, Georgia; as the place
to meet to counsel together and determine the action they will take
in such event, and that the Governor is hereby instructed to issue
his proclamation causing an election in such Congressional Dis-
trict for the election of delegates to such convention of States, to
ado t such policy as our honor and safety may require.

Mr. Enloe moved,

The Senate adjourn until three o'clock this evening,

Which was lost.

Upon the adoption of the resolutions, a division was called for when it was rejected by a vote of fourteen to six.

On motion of Mr. Davis,

The Senate adjourned untill three o'clock this evening.

THREE O'CLOCK P. M.

The Senate met pursuant to adjournment.

Mr. Davis offered the following amendment :

In line 8 strike out all after the word "Governor," to the words "United States," in line 18, and insert "shall convene the Legislature if in his judgement it may be required."

Upon the adoption of which a division was called, when it was lost by a vote of 7 in the affirmative and 8 in the negative.

Mr. McCord moved,

A reconsideration of the vote,

When it was adopted.

Upon the passage of the resolutions as amended, the yeas and nays were called, when they were unanimously adopted,

Mr. Wilson asking to be excused from voting.

YEAS—Messrs. Brasier, Buchanan, Catchings, Covington, Davis, Enloe, Harrison, Harris, Howry, Huie, McLain, Mims, Mason, McCord, McRae, Neill, Oliver, Quin, Rankin, Starke, Simonton, Thomson, Thames, and West—23.

1st Resolved, By the Legislature of the State of Mississippi
That the Constitution of the United States recognizes property in slaves, and the Government created by it cannot, nor can any tribunal, acting under its authority, whether it be Legislative, Executive or Judicial, within its appropriate sphere, justly withhold from the owners of slaves that adequate protection for their slave property, to which the owners of property of other kinds are entitled, or which from its nature they may further require to secure them in its possession and enjoyment.

2d. That the election of a President of the United States, by the votes of one section of the Union only, on the ground that there exists an irreconcilable conflict between the two sections, in reference to their respective systems of labor, and with an avowed purpose of hostility to the institution of slavery as it prevails in the Southern States, and as recognized by the compact of Union, would so threaten a destruction of the ends for which the Constitution was formed, as to justify the slave-holding States in taking counsel together for their separate protection and safety.

3d. That in order to be prepared for such a contingency, Mississippi accepts the invitation of South Carolina to her sister slave-holding States to meet in Convention, and proposes the first Monday in June next, and Atlanta, Georgia, as a suitable time and place to meet to counsel together and determine the action they will take in such an event—which action shall be reported to the Governor, who shall convene the Legislature, if in his judgment it may be required—and that this Legislature at its present session proceed to elect seven delegates to attend the Convention at Atlanta, Georgia.

4th. That a Commissioner be appointed by this Legislature to proceed to the Capitol of Virginia, and express to the people of that Commonwealth, through her Executive, the indignation that Mississippi feels at the outrage committed in the recent invasion of her soil, and the readiness and determination of Mississippi to unite with her, or any other slave-holding State, in repelling any assaillment of their people or their rights—and that said Commissioner, also, present to her Executive a copy of these resolutions, and invite her co-operation in the proposed Convention.

5th. That the Governor of this State be requested to transmit a copy of these resolutions to the Governor of each of the slave-holding States of the Union, to be laid before their Legislatures, and invite their co-operation.

On motion of Mr. Davis,

The Senate adjourned until to-morrow morning 10 o'clock.

THURSDAY, Jan 26, 1850.

The Senate met pursuant to adjournment.

The roll was called.

The Journal of yesterday was read and approved.

Mr. Buck presented the petition of Henry Myer, a citizen of Warren county,

Which, without being read,

Was referred to the committee on Claims.

Mr. Buck presented the petition of sundry citizens of Warren county,

Which was read, and,

On motion of Mr. Buck,

Laid on the table.

Mr. Huie made the following report,

Which was received and agreed to :

MR. PRESIDENT—

The committee on Finance to whom was referred,

A bill in reference to hawking and pedling in this State by non-residents thereof,

Have had the same under consideration, and after due and proper investigation thereof, have directed me to report the same back to the Senate and recommend its passage, and that said committee be discharged from the further consideration of said bill.

All of which is respectfully submitted.

The Senate proceeded to the consideration of

A bill to be entitled,

An act to more effectually prevent hawking and pedling by non-residents in this State,

Which, under a suspension of the rule, was read the second time,

And made the special order for Monday next.

Mr. Davis, from the committee on the Judiciary, made the following report,

Which was received and agreed to.

MR. PRESIDENT—

The committee on the Judiciary to whom was referred,

A bill to be entitled,

An act to provide for the selection of Jurors in this State,

Have had the same under consideration, and have instructed me to report the same back with the recommendation that it do pass.

The Senate proceeded to the consideration of

A bill to be entitled,

An act to provide for the selection of Jurors in this State.

Which was read the second time,

And under a suspension of the rules the bill was read the third time.

On motion of Mr. Thomson,

The Senate reconsidered the vote by which the bill passed to its third reading.

Mr. Thomson offered the following amendment:

Amend by striking out the words "shall take effect from and after its passage," and insert "shall take effect on the first day of June next,"

Which was adopted.

When,

On motion of Mr. Howry,

The rule was suspended, and the bill read the third time and passed,

The title standing as stated.

Mr. Neill, from the committee on the Judiciary, made the following report,

Which was received and agreed to;

MR. PRESIDENT—

The Judiciary committee to whom was referred,

A bill to be entitled,

An act amendatory of the law of descents and distributions,

Have had the same under consideration, and have instructed me to report the accompanying substitute, and recommend that it do pass.

The Senate proceeded to the consideration of

A bill entitled,

An act amendatory of the law of descents and distributions,

Which was read the first time,

And under a further suspension of the rules was read the second and third times, and passed,

The title thereof standing as stated.

Mr. McRae gave notice that he would, on some future day introduce,

A bill to amend article 4, section 7, of the Constitution of the State of Mississippi.

On motion of Mr. Howry,

The Senate proceeded to the consideration of

A bill to be entitled,

An act to extend the provisions of an act for the relief of the State University approved March 6, 1856, to the University of Mississippi for two years after 6th March next, and for other purposes.

Which, under a suspension of the rules was read the third time, and passed,

The title standing as stated.

Mr. Mims offered the following resolution :

Resolved, That leave of absence during the summer of 1860 and 1861 at his option, be granted to T. J. Wharton, Attorney General of this State.

Mr. Mason moved,

To amend the resolution by inserting for three months.

Mr. Mims moved,

To strike out summer.

On motion of Mr. Davis,

The Senate adjourned till 3 o'clock this evening.

THREE O'CLOCK P. M.

The Senate met pursuant to adjournment.

Mr. Mims asked and obtained leave to withdraw the resolution

offered by him, and introduce the following substitute,

Which was adopted,

Resolved, That leave of absence, not to exceed three months in each year, be granted to the Hon. Thos. J. Wharton for the years of 1860 and 1861.

The following message was received from the House of Representatives, through their Clerk, Mr. Brougher,

MR. PRESIDENT—

The House of Representatives has passed the following enrolled bills :

An act to prevent injuries to ditches across public roads.

An act to amend article 172, of section 22, of chapter 60, of the Revised Code of Mississippi.

An act to amend the various acts of incorporation of the town of Coffeeville, in the county of Yallobusha, and for other purposes.

An act to amend the act entitled an act to establish a Criminal Court in the county of Warren.

Mr. Howry offered the following resolution :

Resolved, That hereafter the hour of 3 o'clock P. M. be set apart for the introduction of bills and the consideration thereof, until further ordered.

Mr. Davis offered the following resolution by way of substitute.

Resolved, That the Senate shall meet at 9 o'clock A. M., and until 2 P. M., and then adjourn for the day.

Mr. McLain moved,

To lay the resolution and substitute on the table.

Mr. Davis called a division of the question,

When the substitute and resolution were laid on the table.

Mr. Thomson called up,

House bill to be entitled,

An act to reduce into one the several acts incorporating the town of Okolona, in the county of Chickasaw,

With Senate amendments.

Which was read the second time, and

On motion of Mr. Thomson,

The Senate concurred in the amendments separately, when,

Under a suspension of the rules, the bill was read the third time, and passed.

The title standing as stated.

Mr. Davis made the following report,

Which was received and agreed to.

MR. PRESIDENT—

The committee to whom was referred,

A bill to be entitled,

An a t to increase the pay of Jurors,
Have had the same under consideration, and would report the
same back and recommend that it pass,

With the following amendments in section first :

Strike out the words "regular jurors," and insert "petit and
grand jurors summoned for the term."

Mr. Davis moved,

That the Senate proceed to the consideration of

A bill entitled,

An act to increase the pay of jurors,

Which was read the second time,

When,

Mr. Thomson offered the following amendment :

Amend by inserting after the word "grand," the word "taffis,"
in 1st section.

Upon the adoption of which the yeas and nays were called fo
with the following result.

YEAS—Messrs. Brasier, Mims, Simonton, Thomson, Thames
West and Wilson—8.

NAYS—Messrs. Buck, Buchanan, Covington, Davis, Enloe,
Harris, Howry, Huie, McLain, Mason, McRae, Neill, Oliver,
Rankin, and Starke—15.

The amendment was therefore lost.

The rules were suspended and the bill passed,

The title standing as stated.

Mr. Buck introduced,

A bill to be entitled,

An act to amend the law now in force relative to the power of
Justices of the Peace as Notaries Public,

Which was read the first time, and

Under a suspension of the rules was read the second time,
and,

Referred to the Judiciary Committee.

Mr. Howry introduced,

A bill to be entitled,

An act to provide for recording copies of deeds in certain
cases.

Which was read the first time,

And under a suspension of the rules, read the second time,
and,

Referred to the Judiciary Committee.

Mr. Davis moved,

That the Senate proceed to the consideration of House mes-
sages,

Which was lost.

Mr. Oliver called for the special orders of the day.

A bill to be entitled,

An act to prosecute the Geological Survey of the State of Mississippi, and for other purposes,

Was under a suspension of the rules read the third time, and passed,

The title standing as stated.

A bill as to Brokers,

Under a suspension of the rules, was read the second time, and,

Referred to the Judiciary Committee.

A House bill entitled,

An act to amend an act to be entitled an act further to amend an act entitled an act to incorporate the Mississippi and Tennessee Railroad Company, approved March 8th, 1856.

On motion of Mr. Oliver,

Was made the special order for to-morrow morning 11 o'clock.

A House bill to be entitled,

An act for the better government of Railroad Companies,

Was read the second time,

When Mr. Mason offered a substitute, which, on his motion, together with the bill, was

Referred to the Judiciary Committee.

Mr. Davis moved,

The Senate adjourn until to-morrow morning 9 o'clock.

Upon which a division was called,

And it was lost.

On motion of Mr. McLain,

The Senate adjourned until to-morrow morning at 10 o'clock.

FRIDAY, Jan. 27, 1860.

The Senate met pursuant to adjournment.

The roll was called, and

The Journal of yesterday was read, and approved.

Mr. McLain, from a select committee to whom was referred the petition of sundry citizens of Warren county, reported it back to the Senate,

And moved it be laid on the table,

Mr. Mason, from the committee on claims, made the following report :

Which was received and agreed to.

MR. PRESIDENT :—

The joint standing committee on Claims to whom was referred,
The claim of George Work,
Have instructed me to report the same back to the Senate,
and ask to be discharged from its further consideration.

Mr. Mims, from a select committee, made the following report,

Which was received and agreed to.

MR. PRESIDENT—

The select committee to whom was referred,
The petition of Jerome B. Yates,
Have had the same under consideration, and have instructed
me to report the accompanying bill to effect the object of petitioner,
and recommend that it do pass.

The Senate proceeded to the consideration of,
A bill to be entitled,
An act for the relief of Jerome B. Yates,
Which was read once, and under a suspension of the rules was
read the second and third times, and passed,

The title standing as stated.

Mr. Simonton offered the following resolution,

Which was referred to the Judiciary committee :

Resolved, That the committee on the Judiciary to whom was
referred,

A bill entitled,

An act for the better government of Railroads,

Be requested to take into consideration the propriety of amend-
ing said bill so as to prevent any Railroad Company in this State
from filling up natural drains, creeks, or sloughs, and making
gaps so as to concentrate the water at other points than the
natural drains, so as to damage private property by causing rains
to overflow at places where they have not before done so, and, to
a much greater depth, and if they deem it necessary, amend said
bill so as to cover such cases.

Mr. Buck presented the petition of Samuel L. Livingston and
others,

Which was read.

Mr. Buck moved,

That the Senate proceed to the consideration of,

A bill to be entitled,

An act to create a new county in this State to be called ———,

Which was read once,

And under a suspension of the rules read the second time, and,
On motion of Mr. Buck,
Referred to a select committee of three.

The President appointed as said committee,
Messrs. Buck, Davis and Neill.

Mr. Huie offered the following resolution,
Which he subsequently withdrew,

Resolved, That the Senate hereafter will hold night sessions
for the purpose of receiving and considering local measures and
bills.

Mr. McRae introduced,
A bill to be entitled,

An act to better provide for the draining of the swamp and
overflowed lands in Harrison county,

Which was read the first time,

And under a suspension of the rules, read the second time,
And referred to the committee on Internal Improvement.

Mr. Harris introduced,

A bill to be entitled,

An act to authorize Justices of the Peace to discharge the
duties of Coroner in certain cases,

Which was read the first time,

And under a suspension of the rules read the second time,
And referred to the Judiciary committee.

Mr. Harrison, Chairman of the Committee on Internal Im-
provements, reported as follows :

Which was received and agreed to.

MR. PRESIDENT—

The joint standing committee on Internal improvements, to
whom was referred,

A bill to incorporate the Leake County Railroad Company,

Have had the same under consideration and have instructed
me to report the same back to the Senate and recommend that it
do pass.

On motion of Mr. Huie,

The Senate proceeded to the consideration of,

A bill to incorporate the Leake County Railroad Company,

Which was read the first time,

And under a suspension of the rules read the second and third
times, and passed,

The title thereof standing as stated.

Mr. Davis asked and obtained leave to introduce,

A bill to be entitled,

An act to amend the law relating to paupers,

Which was read the first time,

And under a suspension of the rule read the second time, and
Referred to the Judiciary committee.

Mr. McCord introduced,

A bill to be entitled,

An act to amend an act to prevent the commission of certain trespasses—chapter 18 of Revised Code,

Which was read the first time,

And under a suspension of the rules, read the second time, and

Referred to a select committee of three.

The President appointed as said committee,

Messrs. McCord, Quin and Rankin.

Mr. McRae introduced,

A bill to be entitled,

An act for the better securing the purchasers of swamp land in Harrison county titles to the same,

Which was read the first time,

And under a suspension of the rules, read the second and third times, and passed,

The title standing as stated.

Mr. Buck introduced,

A bill to be entitled,

An act to amend an act regulating the law of Divorces,

Which was read the first time,

And under a suspension of the rules, read the second time, and

Referred to the Judiciary committee.

Mr. Mims introduced,

The following resolutions,

Which were read once,

And under a suspension of the rule, read the second time and adopted :

Be it resolved, By the Legislature of the State of Mississippi,
That the slaveholding States of this Union should resort to the most rigid system of commercial non-intercourse with all communities, cities and States, who continue to offend against their Constitutional rights. For this purpose we invite the Legislatures of every Southern State to unite with us in this recommendation, and that in every State and county, town and neighborhood, resolutions may be adopted not to purchase or use, as far as practicable, any article, whatsoever, known to have been produced or manufactured in such community, city or State, or to have been imported into the same for sale. In further aid of this object, we earnestly recommend to the Southern States and their people, that they encourage, by all means in their power, their own mechanics, merchants, manufactures and institutions of learning, and the employment of their own citizens only in their public institutions of any character, and especially discourage the employment of teachers and preachers in their midst from such offending community, city or State. Thus contributing to the safety and prosperity, as well as the development of the unequalled resources and independence of the South.

2d. That a copy of these resolutions be transmitted to the Governor of each of the States of the Union and to our Senators and Representatives in Congress.

Mr. Quin introduced,

The certificate of the Circuit Clerk of Rankin county, together with,

A bill for the relief of L. D. Rhodes, Sheriff of the county of Rankin,

Which was read the first time,

And under a suspension of the rules, read the second time, and Referred to the committee on Claims.

Mr. Oliver introduced,

The following resolution,

Which was adopted :

Resolved, That the committee on State and Federal Relations, be, and they are hereby instructed to enquire into the expediency of a revision of the Patrol Laws, and the organization of a more efficient police regulation to protect the persons and property of the citizens of this State against the insidious machinations of itinerate emissaries of enemies of Southern citizens and their domestic institutions.

Mr. Harrison called up,

A bill to be entitled,

An act to incorporate the Aberdeen Masonic Male High School,

Which was read the second time,

And made the special order for Monday next at 11 o'clock.

Mr. Thames introduced,

A bill to be entitled,

An act to amend article two hundred and one, section forty one, of chapter sixty-four, of the Revised Code,

Which was read the first time,

And under a suspension of the rules, read the second time, and Referred to the Judiciary committee.

The President asked, and obtained leave, to record his vote in favor of the Senate resolutions on State and Federal Relations.

Mr. Talliaferro asked to have his vote recorded in the affirmative on the resolutions.

Mr. Davis moved,

To take up House messages, when,

On motion of Mr. Mason,

The Senate proceeded to the consideration of,

A bill entitled,

An act to amend an act to be entitled an act, &c., to incorporate the Mississippi and Tennessee Railroad Company, approved March 6, 1856.

Mr. Talliaferro asked to withdraw the following amendment offered by him :

SEC. 4. *Be it further enacted,* That said 6th section be so amended as to authorize said Company to construct a branch road from any point on the main line South of the Tallahatchie river to any point between Grenada and Jackson.

The bill was read the second time,

And pending a further suspension of the rules,

The following message was received from the House of Representatives, through their Clerk, Mr. Brougher,

MR. PRESIDENT—

The House of Representatives has passed House bills of the following titles, viz :

An act for the relief of Wm. P. Wommack, of DeSoto county.

An act to amend an act entitled an act to amend an act entitled an act to incorporate the Holly Springs and Hickory Flat Plank Road Company or Turnpike Company.

Also, resolution of the Legislature of the State Mississippi in relation to the presentation of a sword to Maj. Earl Van Dorn, of the United States Army.

On motion of Mr. Enloe,

The Senate adjourned till three o'clock P. M.

THREE O'CLOCK P. M.

The Senate met pursuant to adjournment.

The bill in relation to the Mississippi and Tennessee Railroad,
Was taken up,

And after much discussion,

Was, under a suspension of the rules read a third time,

When upon its passage the yeas and nays were called with the following result :

YEAS—Mr. President, Messrs. Covington, Davis, Enloe, Harrison, Harris, Huie, Mims, McRae, Oliver, Quin, Rankin, Thames, Talliaferro, West and Wilson—16.

NAYS—Messrs. Howry, McLain, Mason, McCord, Neill and Simonton.—6.

Messrs. Brasier and Thomson were excused from voting.

It was, therefore passed,

The title thereof standing as stated.

On motion of Davis,

The Senate adjourned until to-morrow morning 9 o'clock.

SATURDAY, Jan. 28, 1860.

The Senate met pursuant to adjournment, the roll was called,
And the Journal of yesterday was read and approved.
Mr. Howry made the following report,
Which was received and agreed to.

MR. PRESIDENT—

The joint standing committee on the State University,
Have instructed me to report the accompanying joint resolutions
and ask their adoption :

Resolved, By the Legislature of the State of Mississippi, That the Governor of the State be authorized to appoint a Commissioner, whose duty it shall be to investigate the true condition of the Seminary Fund arising from the lease and sale of the thirty-six sections of land donated by the Congress of the United States, by the act of 1819, to the Legislature of the State of Mississippi, in trust for the support of a seminary of learning therein ; and to report how much money accrued from a lease of any parts of said lands, with the interest thereon, how much accrued from the sale of said lands, when due, with the interest thereon, according to the laws in force heretofore and applicable to said fund ; to report whether said monies were invested, and if so, in what manner and whether by law, and if so, under what law or otherwise ; and to report to whom said lands were leased or sold, and the prices, and what security or securities, if any were taken from the purchasers thereof. How much of said fund was lost by failure or neglect on the part of the State or its agencies to enforce the collection of the same. How much money has been paid to the University, distinguishing between the amount received as principal and the amount of interest, under the laws existing on this subject, and that an account be stated between the State and the University, showing what amount in notes and money came to the hands of the State authorities, in trust for the support of a seminary of learning therein, with interest thereon, under the laws which are applicable thereto, and all other matters the said Commissioner may think necessary to a full settlement and adjustment of said fund between the State and the University ; and that said Commissioner make his report to His Excellency the Governor of this State, on or before the 1st day of October, 1861, or as much earlier as may suit his convenience, and that he shall be entitled to receive ten dollars per day for his services, while actually engaged in making said investigation, and all necessary travelling expenses, for which the Auditor shall issue his warrant on the requisition of the Governor, and the same shall be paid one-half out of the Treasury and the other half out of the Seminary fund.

2. *Resolved, That* the Treasurer of this State be required to take charge of the book containing an account of the lease and

sale of the thirty-six sections of land, donated by Congress to this State in trust for the support of a seminary of learning therein, and safely keep the same, to be used by him as Commissioner of Seminary Land and by the Commissioner to be appointed to investigate the Seminary Fund, and that he cause a copy of the contents of said book to be prepared for the use of the Trustees of the University of Mississippi.

3. *Resolved*, That the Auditor of Public Accounts be authorized to issue his warrant in favor of the Treasurer for the expense of said copy, and on the account being presented, with the approbation of the Governor and issued thereon.

Which was read the first time,

And under a further suspension of the rules read the second time,

When Mr. West moved,

To amend by striking out ten dollars and insert in lieu five dollars,

Which was adopted.

Mr. Davis moved,

To strike out five dollars,

Upon which a division was called for,

And lost, ten in the affirmative and eleven in the negative.

Mr. McCord offered an amendment,

Which was adopted:

Amend by striking out in first resolution the words "how much of said fund was lost, &c , and insert instead, " what amount has been lost and by what means."

Under a further suspension of the rules the resolutions were read the third time and passed.

The following message was received from the Governor through his Private Secretary, Mr. Campbell :

EXECUTIVE OFFICE, }
City of Jackson, Jan. 28, 1860. }

MR. PRESIDENT :—

I herewith transmit to the Senate a message of the Governor with an accompanying document.

Mr. West asked and obtained leave to introduce,

The petition of citizens of Holmes county in relation to the children of Dr. J. F. Harrington,

Which were read, and

Referred to the Judiciary committee.

The Senate proceeded to the consideration of,

An act to authorize the children of Mrs. Josephine Harrington, the wife of Dr. J. F. Harrington, to be maintained out of the income of their separate property,

Which was read the first time,

And under a suspension of the rules read the second time,
And referred to the Judiciary committee.

Mr. Mason, from the committee on Finance, made the following report :

Which was received and agreed to.

MR. PRESIDENT—

The committee on Finance to whom was referred,
Resolutions in reference to itinerate traders by sample, &c.,
Have had the same under consideration, and after due investigation, have directed me to report the accompanying bill in accordance with the requirements of said resolution, and to recommend its passage.

All of which is respectfully submitted, &c.

The Senate proceeded to the consideration of,
A bill to authorize the granting of licenses to itinerent traders, &c.,

Was read the first time,

And under a suspension of the rules read the second time, and
Referred to the committee on the Judiciary.

The following message was received from the Governor, through his private Secretary, Mr. Campbell :

EXECUTIVE OFFICE, }
City of Jackson, Miss., Jan. 28, 1860. }

The Governor did, on the 27th instant, sign and approve Senate bills entitled,

An act for the relief of Sarah C. Jacobs and others.

An act to protect persons and property on Railroads in this State.

An act to refund to Railroad Companies the amount of Railroad tax collected by the Auditor of Public Accounts.

An act to extend the time for holding the Police Court of Tishomingo county.

An act to amend article eight, section one of chapter fifteen of the Revised Code.

An act to authorize the republishing of an act herein defined.

An act to amend an act entitled an act to incorporate the Male and Female Academies of Houston, county of Chickasaw.

An act to amend the sixty-fourth chapter of the Revised Code entitled an act to provide for the punishment of crimes and misdemeanors.

A bill entitled,

An act to change the time of holding the Circuit Court of Scott county.

An act to exempt certain lands from taxation.

An act to amend sixty-third chapter of the Revised Code

entitled an act to organize and to define the powers of the High Court of Errors and Appeals.

An act to amend the charter of corporation of the town of Corinth, in the county of Tishomingo.

Mr. Thomson offered the following resolution :

Resolved, That the committee on the Judiciary be, and is hereby instructed to report a bill effectively suppressing the circulation of all inflammable and incendiary matter through the postal system of the United States, in the State of Mississippi.

Mr. Neill offered the following resolution :

Resolved, By the Senate, That the opinion of Hon. C. P. Smith, A. H. Handy, and William L. Harris, be most respectfully asked as to the Constitutionality of 1st section of chapter 35, Revised code of Mississippi,

Which was adopted.

Mr. Starke called up,

House resolution of the Legislature of the State of Mississippi in relation to the presentation of a sword to Maj. Earl Van Dorn, of the United States Army,

Which was read once, and

Under a suspension of the rules read the second and third time, and passed,

Mr. Neill offered the following resolution :

Resolved, That the committee on Finance be instructed to report a bill covering the probable deficiency and wants of the Treasury for the present fiscal year, and that said committee be requested to take into consideration the policy of raising said deficit by a tax on slaves.

Mr. Howry offered the following amendment.

Resolved, That the committee on Finance be instructed to report a provision in the revenue bill that sheriffs shall pay into the Treasury the State and county taxes on or before the 1st Monday in June every year, and that they report a more stringent provision to prevent sheriffs and tax collectors from using or speculating in the public funds which may be in their hands.

Which were referred to the committee on Finance.

Mr. Mason moved,

That Mr. Wilson be added to the committee on Finance.

Mr. Harris introduced,

A bill to be entitled,

An act to incorporate the Columbus and Tennessee Valley Railroad Company,

Which was read the first time, and under a suspension of the rules, read the second and third time, and passed,

The title remaining as stated.

Mr. Neill, from the committee on the Judiciary, made the following report,

Which was received and agreed to :

MR. PRESIDENT—

The committee on the Judiciary to whom was referred,
A bill to be entitled,

An act to provide for recording copies of deeds in certain cases.

Have had the same under consideration, and have instructed me to report the same back, with an amendment of an additional section to come in after article 1, and recommend that the bill and amendment do pass.

A bill to be entitled,

An act to provide for recording copies of deeds in certain cases,

With amendment,

Was read the second time, and,

Under a suspension of the rules, read the third time, and passed,

The title standing as stated.

Mr. Mims asked leave to call up,

A House bill to be entitled,

An act for the benefit of the sheriff of Hinds county,

Which was read the second time, and

Referred to the committee on Finance.

Mr. Huie asked to withdraw the papers in relation to Edward's.

Mr. Oliver asked leave to call up,

An act to repeal an act passed 28th February, 1854,

Which was read the second time,

And under a further suspension of the rules read the third time and passed,

The title standing as stated.

Mr. Enloe called up the Governor's message.

EXECUTIVE OFFICE, }
Jackson, Miss., Jan. 28, 1860. }

To the Senate and House of Representatives :

GENTLEMEN:—I herewith transmit for your consideration a letter from Mr. Jas. S. Johnston, presenting to this State, through her Chief Executive, two portraits of distinguished men, one of David Holmes, the first Governor of the State of Mississippi, the other of Thos. H. Williams, one of the State Senators first chosen by Mississippi to represent her in the Congress of the United States; and I ask the Legislature to receive these portraits and have them preserved in such place and manner as they in their wisdom may see fit and proper.

JOHN J. PETTUS.

JACKSON, Miss., Jan. 21st, 1860.

His Excellency, John J. Pettus:

DEAR SIR:—As the Executor of the last will and testament of the late Olivia Dunbar, deceased, of Jefferson county, in this State, I have the honor, through you, to offer to the Senate and House of Representatives, in General Assembly convened, two portraits of public men, to be disposed of by them as they may deem fit and proper.

They are likenesses of two citizens, whose names and character are identified with the past history of Mississippi, and on that account deserve to become the property of the State. One of them is the portrait of Hon David Holmes, the last Governor of the Territory, and the first Governor of the State of Mississippi. The other is a likeness of Hon. Thomas H. Williams, one of the two first Senators elected by the State to the Congress of the United States.

I beg leave to say that these portraits are at the disposal of the Legislature, and subject to any order they may think proper to make concerning them.

Ver respectfully,

Your Excellency's obedient serv't,

JAMES S. JOHNSTON.

The message and letter were referred to the committee on the State Library.

Mr. Mims introduced,

A bill to be entitled,

An act to regulate the fees of the Clerk of the Circuit and Chancery Courts of Hinds county,

Which was read the first time, and under a suspension of the rules read the second and third time, and passed,

The title standing as stated.

Mr. Simonton introduced,

A bill to be entitled,

An act to authorize acting Justices of the Peace of the several counties of this State to appoint patrols in their respective districts,

Which was read the first time under a suspension of the rules, and

Referred to the Judiciary committee.

Mr. Brasier asked and obtained leave to call from the House messages,

A bill to be entitled,

An act to repeal in part an act incorporating the town of Bue-la, in Calhoun county.

Which was read the first time, and under a further suspension

of the rules, read the second and third times, and passed,

The title standing as stated.

Mr. Neill asked leave of absence for Mr. McLain.

On motion of Mr. Harris,

The House messages were taken up, and,

On motion of Mr. Davis,

Made the special order of the day for Monday at 10 o'clock.

Mr. Oliver introduced,

A bill to be entitled,

An act to compensate returning officers of elections,

Which was read the first time, and under a suspension of the rules read the second time, and,

Referred to the Judiciary Committee.

On motion of Mr. Davis,

The Senate reconsidered the vote making the House messages the special order for Monday next,

When Mr. Quin asked to call up,

A House bill to be entitled,

An act to repeal several parts of acts relative to the sale of vinous and spiritous liquors, so far as the same may apply to the county of Smith.

Which was read the second time, when,

Mr. Oliver offered the following amendment:

Provided, Nothing in this act shall operate to relieve from prosecution and conviction of any offender or offenders under the law this act is intended to repeal, committed previous to the passage of this act, and that the penalties enforced by the act which this act repeals shall be enforced upon conviction upon all violators of that act, as if this act had not been passed.

Which was adopted,

When, under a further suspension of the rules was read the third time, and passed,

The title standing as stated.

Mr. Davis moved,

That the House messages be made the special order for Monday 11 o'clock.

On motion of Mr. Davis,

The Senate adjourned until Monday morning 10 o'clock.

MONDAY, Jan. 30, 1860.

The Senate met pursuant to adjournment,

The roll was called, and

The Journal of Saturday was read and approved.

Mr. McLain presented,

The petition of W. Langford.

Which was

Referred to the committee on Propositions and Grievances.

Mr. Howry presented,

The petition of R. R. Chilton, in relation to Druggists,

Which was

Referred to a select committee of three.

The President appointed as said committee,

Messrs. Simonton, McLain and Harrison.

Mr. Mason, from the committee on Claims, made the following report,

Which was received and agreed to :

MR. PRESIDENT :—

The committee on Claims to whom was referred,

A bill for the relief of S. Richmond,

Have had the same under consideration, and have instructed me to report the same back to the Senate, and recommend that it do not pass, for the reason that the relief asked may be obtained by a compliance with the law now in force.

Mr. McLain, from the committee on Propositions and Grievances, made the following report :

Which was received and agreed to.

MR. PRESIDENT—

The committee on Propositions and Grievances to whom was referred,

The petition of sundry citizens of the city of Shieldsborouh, praying the repeal of article 10, chapter 20, in the Revised Code,

Have had the same under consideration, and instructed me to report the same back to the Senate, and recommend that the prayer be not granted.

Mr. Rankin moved,

A reconsideration of the vote by which the report was received and agreed to,

When the question again recurring upon the reception and agreeing to the report,

It was received, and,

Mr. McRae moved,

To disagree to it,

Which was lost.

The following message was received from the House of Representatives, through their Clerk, Mr. Brougher.

MR. PRESIDENT—

The House of Representatives has concurred in the Senate amendments to the House bill entitled,

An act to reduce into one the several acts incorporating the town of Okolona, in the county of Chickasaw.

And has passed House bills entitled,

An act to incorporate the town of Senatobia, in the county of DeSoto.

An act to incorporate the Masonic Female Seminary in the county of Marshall.

An act for the relief of James K. Morton, a minor, of the county of Coahoma, and others.

An act to amend an act entitled an act to amend an act to amend the charter of the city of Jackson.

An act to incorporate the town of Vaiden, in the county of Carroll.

An act to incorporate the town of Bahala, in Copiah county, and for other purposes.

An act to regulate the compensation of the Probate Clerk in Carroll county, in certain cases.

An act to incorporate the town of Huntsville, and for other purposes.

An act to loan at interest the fund arising from the sale of submerged lands in Choctaw county.

An act to submit to the voters of Issaquena county the question whether the county site shall be removed from its present location on the Mississippi river to some point on Deer Creek.

An act to authorize the Board of Police of Covington county to reduce the price of swamp and overflowed land in said county.

An act to prohibit the sale of vinous and spirituous liquors in the town of Cockrum, in DeSoto county, and the vicinity thereof.

An act to incorporate Willard Male and Female Academies at the village of Flewellin's Cross Roads, in DeSoto county, Mississippi.

An act to amend an act entitled an act to incorporate Tombigbee Bridge Company, and for other purposes, approved November 27th, 1858.

An act to amend an act entitled an act to enlarge the time of holding the Circuit Court of Madison county, approved 10th November, 1858.

An act for the relief of Elizabeth Archie and her children Sarah, Jesse, Moses and Margaret, and Ann Archie, and her child Julia, all free persons of color.

An act to charter a Turnpike across Hell Creek swamp, in Tippah county, Mississippi.

An act in relation to the practice in the Circuit Court of Panola county.

An act to authorize Mary Ann McAllister, wife of John B. McAllister, to act as a *femme sole*.

An act to amend an act entitled an act to provide for an additional Justice of the Peace in the town of Ripley, in Tippah county.

An act for the relief of William Gallaher, J. J. Gallaher, C. D. Key, David Gallaher and Robert Davenport.

An act for the relief of purchasers of sixteenth sections of land in Jasper and Franklin counties.

An act for the relief of William Robinson, a free man of color.

An act in relation to schools and school lands in township 17, Range 5 east, in Warren county.

An act to grant Lorenzo R. Stewart, late Sheriff of Yallobusha county, additional time for the payment of the sum due by him to the State.

An act to provide for the sale of swamp lands in Wilkinson county.

An act to amend an act entitled an act to incorporate the town of Oakland in Yallobusha county, approved February 28th, A. D. 1848.

An act to incorporate the Trustees of the Yazoo Educational Association, in Yazoo county.

An act to provide additional compensation to the Clerk of the Police Court of Yallobusha county.

Also,

A Senate bill entitled,

An act authorizing certain fines and penalties to be paid to the Treasurer of the city of Jackson.

Also,

The following Senate bills, with amendments, in which the concurrence of the Senate is desired.

An act to provide for the transfer of the stock of the State of Mississippi in the New Orleans, Jackson and Great Northern Railroad, the Mississippi Central Railroad, and the Mobile and Ohio Railroad, to the Gulf and Ship Island Railroad Company.

An act to transfer certain collections in Natural History therein named.

An act to incorporate the Holly Springs Life and General Insurance Company.

An act to amend an act to incorporate the Merchants' and Planters Insurance Company of the city of Enterprise, approved December 3d, 1858.

The House of Representatives has also passed a joint resolution concerning the buildings and enclosures of the Fair Grounds, raising a joint committee,

In which the concurrence of the Senate is desired.

The Speaker appointed as the committee on the part of the House,

Messrs. Hooker Palmer, West, Barden and McWhorter.

Mr. Buck, from the committee on the Judiciary, made the following report:

Which was received and agreed to.

MR. PRESIDENT—

The committee on the Judiciary, to whom was referred,

A bill to be entitled,

An act to amend the laws relative Notaries Public,

Have had the same under consideration, and would report the accompanying as a substitute therefor and recommend its passage

The Senate proceeded to the consideration of a substitute bill to be entitled,

An act to amend the laws now in force in relation to Notaries Public,

Which was read the second time, and

Under a suspension of the rules read the third time, and passed,

The title thereof standing as stated.

Mr. Buck made the following report,

Which was received and agreed to.

MR. PRESIDENT—

The committee to whom was referred,

A bill to be entitled,

An act conferring authority upon the Board of Police of Warren county to levy a tax in certain cases,

Have had the same under consideration, and have instructed me to report the same back to the Senate, and recommend that it do not pass.

Mr. Chrisman introduced,

A bill to be entitled,

An act to incorporate the Monticello Railroad Company.

Which was read the first time, and under a suspension of the rules, read the second and third time, and passed,

The title remaining as stated.

Mr. Davis, Chairman of the committee on Enrolled Bills, offered the following report:

Which was received and agreed to:

MR. PRESIDENT—

The committee on Enrolled Bills have examined,

A bill entitled,

An act to incorporate the Holmes County Manufacturing Company,

And would report that they have found the same correctly enrolled.

Mr. Harrison introduced,

A bill to be entitled,

An act to incorporate the town of Athens in the county of Monroe,

Which was read the first time, and,

Under a further suspension of the rules, the bill was read the second and third time, and passed.

The title standing as stated.

Mr. Harris introduced,

A bill to be entitled,

An act for the benefit of Franklin Academy, in the town of Columbus.

Which was read the first time,

And under a suspension of the rules read the second and third times, and passed,

The title standing as stated.

Mr. Chrisman presented,

The petition of Morton Parkman,

And moved its reference to the Judiciary Committee.

The hour having arrived for the special orders of the day,

Were taken up.

The House resolutions in relation to the Souther Pacific Railroad,

Were read once, and

Referred to the committee on State and Federal Relations.

Mr. West moved,

That Mr. Buck be added to the committee on State and Federal Relations.

A House bill to be entitled,

An act to authorize the Secretary of State to cause an index to be made for the use of his office, and for other purposes.

Was read the first time,,

And under a suspension of the rules read the second time, and

Referred to the committee on that office.

A House bill to be entitled.

An act to repeal article twelve of chapter 19 of the Revised Code in relation to Inns and Taverns, so far as relates to the counties of Amite, Pike and Pontotoc.

Was read the first time,

And under a suspension of the rules read the second time, and,

On motion of Mr. Wilson,

Was referred to a select committee of three.

The President appointed as said committee,

Messrs. Wilson, Harris and Rankin.

A House bill to be entitled,

An act for the benefit of the Fayette Female Academy, in the county of Jefferson,

Was read the first time,

And under a suspension of the rules read the second time, and referred to the committee on Education.

A House bill to be entitled,

An act in relation to Sheriffs so far as the same relates to Wilkinson county,

Was read the first time,

And under a suspension of the rules read the second time, and indefinitely postponed.

Mr. West spread the following notice on the Journals :

I ask the unanimous consent of the Senate to insert in the 7th line, in section 11, in

A bill entitled,

An act to incorporate the Holmes County Manufacturing Company,

The following words :

"A majority of whom," and strike out the first word in said 7th line, "who."

A House bill to be entitled,

An act to incorporate the town of Brooksville, in Noxubee county,

Was read the first time, and under a suspension of the rules, read the second time,

And passed over informally.

A House bill to be entitled,

An act for the benefit of schools in Township 3, Range 3 East,

Was read the first time, and under a suspension of the rules, read the second time, and

On motion of Mr. Catchings,

It was referred to a select committee of three.

The President appointed as said committee,

Messrs. Catchings, Rankin and McCord.

A House bill to be entitled,

An act supplemental to an act entitled an act authorizing the closing of Atchafalaya Bayou in the county of Yazoo, approved December 7th, 1859,

Was read the first time, and under a suspension of the rule, read the second time,

And made the special order for Tuesday next three o'clock.

The following message was received from the House of Representatives, through their Clerk, Mr. Brougher,

MR. PRESIDENT—

The House of Representatives has passed the following entitled bills:

An act for the punishment of slaves in certain cases.

An act to amend article 21, section 4, chapter 15, of the Revised Code, in relation to collecting fines of defaulting road hands.

An act to amend the third section of the 14th article of chapter XXXVI. of the Revised Code in relation to satisfying mortgages and deeds of trust.

An act to increase the fee for apprehending runaway slaves in the counties of Tunica, Coahoma, Bolivar, Washington and Issaquena.

A House bill to be entitled,

An act to prevent the selling of vinous and spirituous liquors in the town of Panola,

Was read the first time, and under a suspension of the rule, read the second time, when

Mr. Oliver offered the follownig amendment:

Provided, The expenses of the election shall be paid out of the County Treasurp of Panola county.

On motion of Mr. Talliaferro,

It was referred to a select committee of three.

The President appointed as said committee,

Messrs. Talliaferro, Chrisman and Oliver.

A House bill to be entitled,

An act to change the time of holding the Police Court of Newton county,

Which was read the first time,

And under a further suspension of the rules read the second and third times and passed,

The title thereof standing as stated.

A House bill to be entitled,

An act regulating payments into the Treasury,

Was read the first time, and under a suspension of the rules, read the second time, when

Mr. Neill offered the following amendment:

After the word Auditor, insert the words, as in other cases,

Which was adopted,

And the bill read the third time and passed,

The title standing as stated.

A House bill to be entitled,

An act to incorporate the Vernal Male and Female Academy, in Green county, and for other purposes.

Was read the first time, and under a suspension of the rules, read the second and third times, and passed,

The title standing as stated.

A House bill to be entitled,

An act conferring additional powers upon the Board of Homochitto Commissioners,

Was read the first time,

And under a suspension of the rules read the second and third times and passed,

The title standing as stated.

A House bill to be entitled,

An act to declare Silver Creek, in Yazoo county, a navigable stream, and for other purposes,

Was read the first time,

And under a suspension of the rules read the second time, and

Referred to the Judiciary committee.

A House bill to be entitled,

An act for the relief of Dianah Heath and her child Laura Dunn,

Which was read the first time, and,

On motion of Mr. Neill,

Ordered to lay on the table to await the report of the committee on the petition of Wesley Moore.

A House bill to be entitled,

An act in relation to Circuit Judges and District-Attorneys in this State,

Was read the first time,

And under a suspension of the rules read the second time, and

On motion of Mr. Neill,

Indefinitely postponed.

A House bill to be entitled,

An act for the benefit of schools in township 5, range 3 East, county of Rankin,

Was read the first time,

And under a suspension of the rules read the second time, and

On motion of Mr. Wilson,

It was informally passed over.

A House bill to be entitled,

An act to amend an act to provide for the punishment of crimes and misdemeanors,

Was read the first time,

And under a suspension of the rules read the second and third times and passed,

The title standing as stated.

A House bill to be entitled,

An act to punish the crime of vagrancy,

Was read the first time, and

On motion of Mr. Neill,

It was rejected.

A House bill to be entitled,

An act to amend article 41, of section 9, of chapter 33, of the Revised Code of Mississippi,

Was read once,

And rejected.

A House bill to be entitled,

An act for the benefit of the Probate Judges of Hinds and other counties,

Was read once,

And under a suspension of the rules read the second time.

Mr. Howry offered the following amendment:

And that the salary of the Probate Judge of Lafayette county be \$1,000, from and after the passage of this bill,

Which was adopted.

Mr. Thomson offered the following amendment:

Strike out, and the salary of the Probate Judge of Chickasaw county be increased to \$800, and to take effect at the expiration of the term of the present inactment,

Which was adopted.

Under a further suspension of the rules the bill was read the third time and passed,

The title standing as stated.

A House bill to be entitled,

An act to incorporate the Southern Insurance Company,

Which was read once,

And under a suspension of the rules read the second time,

And informally passed over.

Mr. Harris spread the following on the Journals:

Notice is hereby given, that on to-morrow or some future day, I will introduce a bill to repeal the 1st section of the 35th chapter of the Revised Code, and to legalize the charters of such corporations as have been created under the provisions of that section.

Mr. Enloe offered the following resolution:

Resolved, That the committee on the Judiciary to which was referred the petition of sundry citizens of Holmes county concerning the children of Dr. Harrington be instructed to inquire into the expediency of passing a general law with regard to such matters as are contained in said petition.

Mr. Wilson moved,

That the Senate adjourn until three o'clock this evening.

THREE O'CLOCK P. M.

The Senate met pursuant to adjournment.

Mr. Catchings asked and obtained leave to call up,

A House bill entitled,

An act to prohibit the sale and gratuitous distribution of vinous, spirituous and fomented liquors within two miles of Westville Seminary, in Simpson county, and for other purposes,

Which was read twice under a suspension of the rule.

Mr. Catching offered to amend by striking out the word "two" wherever it occurred before "miles," and insert "four,"

Which was adopted.

Mr. Catchings moved,

To amend by striking out February after the words "first of," and insert "March,"

Which was also adopted.

Mr. Catchings also moved,

To amend the title of the bill by inserting "4" in the place of "2,"

Which was adopted.

And the bill passed as amended.

Mr. Buck asked the Senate to suspend the regular orders, and permit him to introduce a bill,

Which request was granted.

Mr. Buck then introduced,

A bill to be entitled,

An act to provide for the better securing of titles to lands had and claimed under tax sale and tax titles,

Which was read twice, the rule being suspended, and

Referred to the committee on the Judiciary.

Mr. Oliver offered the following amendment,

Which was adopted:

SEC. — *Be it further enacted*, That the Auditor of Public Accounts of this State shall have the same power and privileges in behalf of the State as is hereby given to individuals for the purpose of perfecting titles to land sold to the State for taxes.

The regular orders were then resumed.

A House bill entitled,

An act for the relief of D. H. Shepherd, of Calhoun county, and John Winegar, of Tishomingo county,

Was read twice,

And passed over informally.

A House bill to be entitled,

An act to authorize the removal and location of the seat of justice of Copiah county,

Was read once,

And laid on the table.

The following House bills were read three times under a suspension of the rule and passed,

The titles of all standing as stated:

An act for the relief of the widow and heirs of Magnus L. Maynard.

An act to revive certain acts in relation to the town of Friar's Point.

An act for the relief of William O. Howard, of Coahoma county.

An act to appoint Commissioners of the town of Delta.

A House bill to be entitled,

An act for the relief of Thomas W. Broughton, Treasurer of Claiborne county,

Was read the first time,

And under a suspension of the rules, read the second time, and Referred to the Judiciary committee.

A House bill entitled,

An act to authorize Margaret C. Graves to convey property, and for other purposes,

Was read three times under a suspension of the rule, and passed,

The title standing as stated.

A House bill entitled,

An act to incorporate the town of Meadville, in Franklin county, Was read twice, the rule being suspended, and passed over informally.

A House bill entitled,

An act for the relief of B. F. King,

Was read three times under a suspension of the rule, and passed,

The title standing as stated.

Mr. Chrisman asked and obtained leave to record his vote in the affirmative on the resolutions on State and Federal affairs.

A House bill to be entitled,

An act to prohibit the sale of vinous or spirituous liquors in three miles of Snow Creek P. O., in Marshall county,

Which was read once, and

On motion of Mr. Neill,

Indefinitely postponed.

Mr. Howry introduced,

A bill to be entitled,

An act to amend section 3, article 16, and section 4, article 31, of chapter 15, of the Revised Code on roads, and for other purposes,

Which was read the first time,

And under a suspension of the rules, read the second time, and Referred to the committee on Public Roads.

Mr. Simonton offered the following resolution:

Resolved, (By the Senate,) That the committee on the Judiciary be requested to take into consideration whether or not if parties claiming or holding lands under the claim of five years peaceable possession fail to bring suit in Chancery before they are barred, can afterwards obtain such a title as will enable them

to sell and convey the same, and if in their judgment they deem it necessary, prepare a bill to cover the defect by the parties to obtain title bringing suit and substantiate their claim by proofs.

On motion of Mr. Simonton,

The Senate adjourned until to-morrow morning 9 o'clock.

TUESDAY, Jan. 31, 1860.

The Senate met pursuant to adjournment.

The roll was called.

The Journal of yesterday was read and approved.

The President presented a communication from the Judges of the High Court :

JACKSON, January 30th, 1860.

Hon. JAS. DRANE,

President of the Senate,

DEAR SIR:—The resolution of the Senate requesting our opinion as to the Constitutionality of the 1st section of chapter 35, of the Revised Code was communicated to us this morning.

The possibility, and even probability, that the question may be presented to us *officially* by *parties* who have a right to be *heard in Court*, suggests the propriety of avoiding the expression of any opinion on our part, which might seem to *prejudge* their rights.

We trust, therefore, that the Senate will properly appreciate our motive in asking a waiver of the request contained in this resolution,

Very Respectfully,

Your obedient servants,

C. P. SMITH,

A. H. HANDY,

WILLIAM L. HARRIS.

Mr. McCord made the following report,

Which was received and agreed to :

MR. PRESIDENT—

The select committee to whom was referred,

An act to amend an act to prevent the commission of certain trespasses—chapter 18 of Revised Code,

Have had the same under consideration, and beg leave to report a substitute therefor and recommend its passage.

The Senate proceeded to the consideration of,

A substitute bill to be entitled,

An act to amend an act to prevent the commission of certain trespasses—chapter 18 of the Revised Code,
Which was read the second time, and
Referred to the Judiciary Committee.
Mr. Harris made the following report,
Which was received and agreed to.

MR. PRESIDENT—

The committee on Education to whom Was referred,
An act to aid indigent children in the county of Oktibbeha in procuring an education,
Have had the same under consideration, and beg leave to report the accompanying amendments, and recommend that the bill with the amendments do pass.
The following message was received from the House of Representatives, through their Clerk, Mr. Brougher,

MR. PRESIDENT—

The House of Representatives has passed the following entitled bills :

An act to remove the legal disabilities of Emily Hearn.

An act to change the hour at which the polls of election shall be closed.

An act to prevent the sale of vinous or spirituous liquors in the town of Danville, in Tishomingo county.

The House has also adopted a joint resolution fixing the day of adjournment of this Legislature, for 15th February next, at 12 o'clock M., in which I am requested to ask the concurrence of the Senate.

On motion of Mr. Harris,

The Senate proceeded to the consideration of a bill to be entitled,

An act to aid indigent children in the county of Oktibbeha in procuring an education,

With the following amendments.

After the word "services," in the 5th section, by inserting "on all moneys paid by him into the hands of said commissioner."

In section 2, strike out the words "in the year 1860," and insert "after this act shall take effect.

In the 13th section, strike out the word "January," and insert "March."

Mr. McLain offered the following additional section.

Be it further enacted, That the provisions of this bill extend and apply in all respects also to the counties of Clark, Jasper and Lauderdale.

Mr. Harris offered the following amendment.

Amend by striking out the word "succession" in the fourth line from the end of section 11, and insert the words "four years."

All of which amendments were adopted,

And under a further suspension of the rules the bill was read the third time and passed as amended.

On motion of Mr. McLain,

The title of the bill was amended by adding the words "and for other purposes."

Mr. Buck asked and obtained leave to call up,

A House bill entitled,

An act to incorporate the Southern Insurance Company,

Which was read the second time.

Mr. Buck offered to amend by striking out the 13th section,

Which amendment was adopted.

The bill was then put upon its third reading,

And passed,

As amended,

The title thereof standing as stated.

On motion of Mr. Harrison,

The Senate proceeded to consider the special order for 11 o'clock,

Which was,

A bill to be entitled,

An act to incorporate the Aberdeen Masonic Male High School.

Pending the consideration of this bill,

The following message was received from the House of Representatives, through their Clerk, Mr. Brougher,

MR. PRESIDENT—

The House of Representatives has passed the following entitled bill:

An act to incorporate the Liberty and Magnolia Railroad Company.

The following message was received from the Governor through his private Secretary, Mr. Campbell:

Transmitting a memorial from the citizens of Wilkinson county, in relation to changing the present system of patrols in the State, with accompanying documents.

Mr. McLain moved,

To lay the bill under consideration on the table.

Upon this question the yeas and nays were called.

YEAS—Mr. President, Messrs. Brasier, Davis, Ellétt, Enloe, Huie, McLain, Mason, McJord, Neill, Simonton and Wilson—12.

NAYS—Messrs. Buck, Chrisman, Harrison, Harris, Mims, McRae, Oliver, Rankin, Starke, Thomson, Thames, Talliaferro and West—12.

The motion was lost.

The yeas and nays were called for upon the passage of the bill :

YEAS—Messrs. Buck, Brasier, Chrisman, Harrison, Harris, Mims, McRae, Oliver, Rankin, Starke, Thomson, Thames and Talliaferro.—13.

NAYS—Mr. President, Messrs. Davis, Ellett, Enloe, Huie, McLain, Mason, McCord and Simonton.—9.

The bill passed,

The title standing as stated.

The regular orders were resumed,

A House bill entitled,

An act granting to the corporate authorities of the town of Panola power to contract for the building of a hotel in said town,

Was read twice under a suspension of the rules, and

On motion of Mr. Talliaferro,

Referred to a select committee of three.

The President appointed as said committee,

Messrs. Talliaferro, Oliver and Mason.

A House bill entitled,

An act for the relief of the widows and heirs at law of David W. Robertson, deceased,

Was read three times under a suspension of the rule, and passed,

The title standing as stated.

Mr. Buck asked and obtained leave to call up,

A House bill entitled,

An act to amend the act entitled an act to establish a Criminal Court in the county of Warren,

Was read twice under a suspension of the rule.

Mr. Buck offered the following amendment,

Which was adopted :

Amend sec. 2 of this act by inserting the words "the 18th sec. of said act," and after the word "that," in the first line of said 2d section.

Mr. Drane proposed to amend as follows :

Amend by adding proviso,

Provided: All the expenses attending said Court, except the pay of Grand Jurors, shall be paid out of the County Treasury of Warren county.

Upon the adoption of this amendment a division was called—
10 Senators voting for, and 7 against.

The amendment was lost.

On motion of Mr. Buck,

The rule was suspended and the bill read a third time and passed,

The title standing as stated.

On motion of Mr. West,

The Senate adjourned until to-morrow morning at 9 o'clock.

WEDNESDAY, Feb. 1, 1860.

The Senate met pursuant to adjournment.

The roll was called, and

The Journal of yesterday was read, and approved.

Mr. McLain presented the memorial of the Legislature of the State of Mississippi to the Congress of the United States in relation to the graduation of lands belonging to the General Government,

Which was read once, and

On motion of Mr. McLain,

It was referred to a select committee of five.

The President appointed as said committee,

Messrs. McLain, Simonton, Harris, Wilson and McCord.

Mr. Harrison, Chairman of the Committee on Internal Improvements, reported as follows:

Which was received and agreed to.

MR. PRESIDENT—

The joint standing committee on Internal improvements, to whom was referred,

A bill to be entitled,

An act to grant a charter to Robert James for deepening the coast channel of the Gulf of Mexico within the jurisdiction of the State of Mississippi,

Report the same back to the Senate with several Amendments and recommend that the bill as amended do pass.

The Senate proceeded to the consideration of the amendments reported by the committee to

A bill to be entitled,

An act to grant a charter to Robert James for deepening the coast channel of the Gulf of Mexico within the jurisdiction of the State of Mississippi,

Which were read and adopted.

Mr. McRae offered some additional amendments,
Which were also adopted.

Ordered, That the bill be engrossed for a third reading to-morrow.

Mr. Thomson from a joint standing committee on the Treasurer's Office, &c., reported as follows :

MR. PRESIDENT—

The joint standing committee on the Treasurer's office and the Office of State Commissioner submit the following report :

They have examined said office for the fiscal years commencing 1st November, 1857, and ending 31st October, 1859; and found the warrants correctly entered, the additions correctly made and balances correctly carried forward.

The committee did not complete their examination until within a few days past, and, therefore, could not count the money in the Treasury on 1st Nov. 1859, for the reason that the same had been paid out.

Your committee recommend the adoption of the following resolution, believing that it will promote a more thorough examination of said offices and relieve the committee of onerous labors and responsibilities.

This report was received and agreed to.

The resolutions accompanying the report were referred,

On motion of Mr. McCord,

To a committee of three,

Composed of Messrs. McCord, Thomson and Neill.

The following message was received from the House of Representatives, through their Clerk, Mr. Brougher,

MR. PRESIDENT—

The House of Representatives have concurred in the amendments made by the Senate to the following House bills:

A bill to be entitled,

An act to amend the act entitled an act to establish a Criminal Court in the county of Warren.

A bill to be entitled,

An act to incorporate the Southern Insurance Company,

The House have concurred in the Senate amendments to the bill to be entitled,

An act to aid indigent children in the county of Oktibbeha in procuring an education,

And have disagreed to the Senate amendment made to said bill extending its provisions to the county of Lauderdale.

And have passed,

A bill entitled,

An act further to regulate the Militia and Volunteer system.

Mr. McLain, from the committee on Propositions and Grievances, made the following report :
Which was received and agreed to.

MR. PRESIDENT—

The committee on Propositions and Grievances to whom the petition of the citizens of the city of Enterprise was referred,

Asking relief for E. A. Miller,

Have had the same under consideration and have instructed me to report it back to the Senate, together with the accompanying bill, and recommend that it do pass.

On motion of Mr. McLain,

The Senate proceeded to the consideration of,

A bill to be entitled,

An act for the relief of E. A. Miller,

Which was read once,

And under a suspension of the rules read the second time,

Pending the consideration of the bill prior to its third reading,

The following message was received from his Excellency the Governor, through his Private Secretary, Mr. Campbell,

EXECUTIVE OFFICE, }
City of Jackson, Miss., Jan. 31, 1860. }

MR. PRESIDENT:—

The Governor did, on the 31st instant, sign and approve Senate bills entitled,

A resolution granting leave of absence to Hon. Wm. Cothran.

An act to establish a turnpike, ferry or bridge across Big Black river and bottom.

An act to authorize the lease of a portion of the sections of land on which the University is located.

An act to amend the common school laws of Pike county.

The following message was received from the House of Representatives, through their Clerk, Mr. Brougher,

MR. PRESIDENT—

The House of Representatives has concurred in the Senate amendments to the House bill entitled,

An act regulating payments into the State Treasury.

And has passed,

A Senate bill entitled,

An act to incorporate the Leake County Railroad Company.

And House bills entitled,

An act to incorporate the North Alabama Telegraph Company.

An act to annex a part of Tallahatchie county to the county of Sunflower, and for other purposes.

An act to incorporate the Mobile, Memphis and St. Louis Railroad Company.

Under a suspension of the rules the bill was read the third time,
When, upon its passage,
The yeas and nays were called :

YEAS—Mr. President, Messrs. Brasier, Chrisman, Davis, Ellett, Enloe, Harris, Huie, McLain, Mims, Quin, Rankin, Thomson, and Thames.—14.

NAYS—Messrs. Buck, Harrison, Mason, McCord, Neill, Oliver, Simonton, Talliaferro, West and Wilson.—10.

Mr. Ellett, from the committee on the Judiciary, made the following report :

Which was received and agreed to.

MR. PRESIDENT—

The committee on the Judiciary to whom was referred,

A House bill entitled,

An act for the relief of Thomas W. Broughton, Treasurer of Claiborne county,

Have had the same under consideration and have instructed me to report the same back to the Senate and recommend its passage.

The Senate proceeded to the consideration of a bill to be entitled,

An act for the relief of Thomas W. Broughton, Treasurer of Claiborne county,

Which was read the second time,

And under a suspension of the rules read the third time and passed,

The title standing as stated.

Mr. Ellett, from the committee on the Judiciary, made the following report :

Which was received and agreed to.

MR. PRESIDENT—

The committee on the Judiciary to whom was referred,

A House bill to be entitled,

A bill for the relief of Thomas Crenshaw, a free man of color,

Have had the same under consideration, and have instructed me to report the same back to the Senate, and recommend its passage.

The Senate proceeded to consideration of,

A bill to be entitled,

An act for the relief of Thomas Crenshaw, a free man of color, of Copiah county,

Which was read the second time,

And under a further suspension of the rules read the third time and passed.

The title standing as stated.

Mr. Ellett, from the committee on the Judiciary, made the following report,

Which was received and agreed to.

MR. PRESIDENT—

The committee on the Judiciary to whom was referred,

A bill to be entitled,

An act to amend an act regulating the law of divorces,

Have had the same under consideration, and have instructed me to report the same back, with a substitute therefor, and to recommend the adoption and passage of the substitute.

The Senate proceeded to the consideration of,

A substitute bill to be entitled,

An act to amend an act regulating the law of divorces,

Which was read the second time,

And under a suspension of the rules read the third time and passed,

The title standing as stated.

Mr. Ellett, from the committee on the Judiciary, made the following report,

Which was received and agreed to.

MR. PRESIDENT—

The committee on the Judiciary to whom was referred,

A bill to be entitled,

An act to authorize the establishment of private burying grounds,

Have had the same under consideration and have instructed me to report the same back and recommend its passage.

The Senate proceeded to the consideration of,

An act to authorize the establishment of private burying grounds,

Which was read the second time,

And under a suspension of the rules read the third time and passed,

The title thereof standing as stated.

Mr. Ellett, from the committee on the Judiciary, made the following report,

Which was received and agreed to.

MR. PRESIDENT—

The committee on the Judiciary to whom was referred,

A House bill to be entitled,

An act to exempt the property of Amite Female Seminary from taxation,

Have had the same under consideration and have instructed me to report the same back and to recommend that the same do not pass.

Mr. Ellett, from the committee on the Judiciary, made the following report,

MR. PRESIDENT—

The committee on the Judiciary to whom was referred,

An act entitled,

An act to repeal a part of the one hundred and tenth article of the fourteenth section of the sixtieth chapter of the Revised Code,

Have had the same under consideration and have instructed me to report the same back and to recommend that it do not pass.

Upon receiving and agreeing to the report a division of the question was called,

When it was received.

And pending the motion to agree,

On motion of Mr. Starke,

The Senate adjourned until three o'clock this evening.

THREE O'CLOCK P. M.

The Senate met pursuant to adjournment.

The question upon agreeing to the report,

It was adopted.

Mr. Ellett, from the committee on the Judiciary, made the following report,

Which was received and agreed to.

MR. PRESIDENT—

The committee on the Judiciary to whom was referred,

An act entitled,

An act to authorize the children of Mrs. Josephine Harrington, the wife of Dr. J. F. Harrington, to be maintained out of the increase of their separate property,

And who were instructed by resolution of the Senate to inquire into the expediency of passing a general law with regard to all similar cases,

Have had the same under consideration, and have instructed me to report a general law entitled,

An act to provide for the appointment of guardians of infants in certain cases,

As a substitute for the bill referred, and to recommend the passage of the substitute.

The Senate proceeded to the consideration of the substitute bill entitled,

An act to provide for the appointment of Guardians of infants in certain cases,

Which was read the second time, and

On motion of Mr. Ellett,

Referred to the Judiciary committee.

Mr. Buck, from the Committee of Judiciary, made the following report,

Which was received and agreed to.

MR. PRESIDENT—

The committee on the Judiciary to whom was referred,

An act to incorporate Independent Fire Engine Company No. 1, of the city of Vicksburg,

Have had the same under consideration, and instructed me to report the same back to the Senate, with the recommendation that said act be amended by striking out the 3d section, and that the act as amended be passed.

The Senate proceeded to the consideration of

A bill to be entitled,

An act to Incorporate Independent Fire Engine Company No. 1, of the city of Vicksburg,

With amendments.

Was read the second time,

And under a suspension of the rules the bill was read the third time, and passed,

The title standing as stated.

Mr. Ellett, from the committee on the Judiciary, made the following report,

Which was received and agreed to.

MR. PRESIDENT—

The committee on the Judiciary to whom was referred,

The petition of J. R. M. Carroll, Sheriff, and L. Johnson, Clerk of Marshall county,

Have had the same under consideration, and have instructed me to report,

A bill to be entitled,

An act to amend the eighth chapter of the Revised Code, entitled an act establishing the fees of certain officers,

And to recommend its passage.

The Senate proceeded to the consideration of

A bill to be entitled,

An act to amend the eighth chapter of the Revised Code, entitled, an act establishing the fees of certain officers,

Which was read the first time,

And under a suspension of the rules, read the second time,
When,

Mr. Huie offered the following amendment.

Amend by additional section.

SEC. *Be it further enacted*, That hereafter, on the trial of State cases, before Courts of Inquiry, where the State fails in such prosecution, or the defendant is insolvent, the Justices of the Peace and Constables, or other officers rendering services, shall be entitled to their fees, and the same shall be paid out of the Treasury of the State upon the certificate of the presiding judge of the district and District Attorney.

Mr. Huie moved,

That the bill and amendment be re-committed to a select committee.

The President appointed as said committee,

Messrs. Huie, Buck and Wilson.

Mr. Buck moved,

That Messrs. Davis and West be added to said committee.

Mr. Ellett, from the committee on the Judiciary, made the following report,

Which was received and agreed to.

MR. PRESIDENT—

The committee on the Judiciary to whom was referred,

A House bill entitled,

An act to regulate the venue of actions against Railroad Corporations,

Have had the same under consideration, and have instructed me to report the same back with an amendment to the first section thereof, and to recommend the adoption of the substitute, and the passage of the bill as amended.

The Senate proceeded to the consideration of

A bill to be entitled,

An act to regulate the venue of actions against Railroad Corporations,

With an amendment,

Which was read the second time,

When,

Mr. McLain offered the following amendment to the amendment:

First section, after the words "head officers," &c., insert or station agents,

Which was lost.

Pending the consideration of the bill,

The following message was received from the House of Representatives, through their Clerk, Mr. Brougher;

MR. PRESIDENT—

The House of Representatives has passed the following entitled bill:

An act to incorporate the Natchez Hotel Company.

An act to regulate common schools and school funds in the county of Wayne.

And has passed Senate bills entitled,

An act to incorporate the Columbus and Tennessee Valley Railroad Company,

An act for the benefit of Franklin Academy, in the town of Columbus.

Mr. Ellett offered the following amendment to the amendment:

And that all laws authorizing the service of process on corporations in any other manner than herein prescribed be, and the same is hereby repealed.

Which was adopted.

The question recurring upon the amendment reported by the Judiciary Committee,

It was adopted, when,

Mr. Oliver offered the following amendment:

Which was laid on the table.

After the word "treasurer," insert "superintendent or conductor of the passenger train.

Under a further suspension of the rules the bill was read the third time and passed.

The title standing as stated.

Mr. Ellett, from the committee on the Judiciary, made the following report,

Which was received and agreed to:

MR. PRESIDENT—

The committee on the Judiciary to whom was referred,

An act entitled,

An act to amend the act fixing the fees now allowed the Clerks of the Probate and Police Courts.

Have had the same under consideration, and have instructed me to report the same back and to recommend that it do not pass.

Mr. Oliver reported back to the Senate, with amendments,

A bill entitled,

An act to empower the Inspectors of the Mississippi Penitentiary to contract for and purchase a certain lot of land therein described,

Which was read the second time,

And the amendment adopted.

Under a suspension of the rules, read the third time, and passed,

The title standing as stated.

**Mr. Rankin made the following report,
Which was received and agreed to :**

MR. PRESIDENT—

**The select committee to whom was referred,
The bill entitled;**

An act for the benefit of the children of Township 3, Range 2 east,

Have had the same under consideration, and have instructed me to report the same back to the Senate, and recommend its passage, with the following amendment to the title.

Ammendment :

Add the words "in the county of Rankin" to the end of the title.

The Senate proceeded to the consideration of

A bill to be entitled,

An act for the benefit of schools in Township 3, Range 3 east,

Which was read the second time, and

Under a suspension of the rules read the third time, and passed,

The title amended by inserting the county of Rankin.

Mr. Chrisman introduced,

A bill to be entitled,

An act to confer upon the Probate Court of Simpson county jurisdiction over the estate of Robert Hotendee,

Which, under a suspension of the rules, was read three times and passed.

Mr. Wilson, from a select committee, made the following report,

Which was received and agreed to :

MR. PRESIDENT :—

The select committee to whom was referred,

A bill to be entitled,

An act to repeal article 12, chapter 19, of the Revised Code in relation to Inns and Taverns,

Have had the same under consideration, and beg leave to report the same back to the Senate, without amendment, and recommend that the same do pass.

The Senate proceeded to the consideration of,

A bill to be entitled,

An act to repeal article twelve of chapter 19 of the Revised Code in relation to Inns and Taverns, so far as relates to the counties of Amite, Pike and Pontotoc.

Which, under a suspension of the rules was read three times, and passed,

The title standing as stated.

Mr. Mims introduced,

A bill to be entitled,

An act for the collection and preservation of the annals relating to the Natchez District,

Which was read the first time,

And under a further suspension of the rules read the second time,

When,

On motion of Mr. Mims,

It was,

Referred to a select committee of three.

The President appointed as said committee,

Messrs. Mims, Buck and Wilson.

Mr. Mims presented the claim of servant Charles,

Which was referred to the committee on Claims.

Mr. McRae moved,

The Senate adjourn till to-morrow morning 9 o'clock.

Which was lost.

Mr. Buck moved,

The Senate adjourn until to-morrow morning 9 o'clock.

Which was adopted,

THURSDAY, Feb. 2, 1860.

The Senate met pursuant to adjournment.

The roll was called.

The Journal of yesterday was read and approved.

Mr. Ellett, from the committee on the Library, made the following report,

Which was received and agreed to.

MR. PRESIDENT—

The Joint Standing Committee on the State Library to whom was referred,

A message from the Governor, dated Jan. 28, 1860, transmitting a communication from James S. Johnston, executor of the last will and testament of Mrs. Olivia Dunbar, late of the county of Jefferson, offering to present to the State portraits of Hon. David Holmes, the last Governor of the Territory, and the first Gov-

ernor of the State of Mississippi, and of Hon. Thomas H. Williams, one of the two Senators first elected by this State to the Congress of the United States,

Have had the same under consideration and have instructed me to report the same back, with the accompanying resolution, of which they recommend the adoption.

The resolutions accepting the portraits of David Holmes and Thomas H. Williams, presented by James S. Johnston, of Jefferson county,

Was read three times under a suspension of the rule, and adopted.

Mr. Ellett, from the committee on the Judiciary, made the following report :

Which was received and agreed to.

MR. PRESIDENT—

The committee on the Judiciary, to whom was referred,

A House bill entitled,

An act for the relief of John J. McRae, in confirming the title to the north half and south-east quarter of section sixteen, in Township 7, Range 5 west, in Wayne county,

Have had the same under consideration, and have instructed me to report as follows :

The bill shows that the sale of the School Section to Governor McRae has been judicially decided to be null and void ; and it proposes to confirm the title under that sale to Governor McRae on his paying the principal sum bid by him at the sale, without interest. This is a proposition to make a new sale of the land by the State to Governor McRae, on different terms from those agreed on at the first sale, by the School Commissioners. There is no objection to this, provided the State had the title to the land, and power to dispose of it.

But Congress never granted the school lands to the State, and no authority was ever given to the State to dispose of them, except by the act of May 19, 1852, (Revised Code 696,) which contained the proviso that "said lands, or any part thereof, shall, in no case, be sold or leased without the consent of the inhabitants of such township or district, to be obtained in such manner as the Legislature of said State may by law direct."

No proof is furnished that such consent has ever been given, to the proposed sale, or to the one adjudicated to be void. It may be that the first sale was held void for the want of this consent.

The committee therefore recommend that the bill do not pass.

Mr. Ellett made the following report,

Which was received and agreed to.

MR. PRESIDENT—

The committee to whom was referred,

A House bill to be entitled.

An act for the better government of Railroad Companies,

With an amendment as a substitute therefor,

Have had the same under consideration, and have instructed me to report the same back, and to recommend that the substitute be amended by striking out all after the first section, and that the remainder of the substitute be adopted in lieu of the original bill, and that the same do pass.

On motion of Mr. Ellett,

The Senate proceeded to the consideration of the substitute bill entitled,

An act for the government of Railroad Companies,

Which was read as amended.

On motion of Mr. McLain,

The bill, substitute and amendments were indefinitely postponed.

Mr. Starke, from the Joint Standing Committee on Public Roads, made the following report :

MR. PRESIDENT—

The Joint Standing Committee on Public Buildings, have had the subject of the condition of the public buildings and grounds under consideration, and have instructed me to report that such is the dilapidated condition of the State House that it is indispensable for the safety and security of the building that the sum of at least ten thousand dollars should be expended immediately upon it. Your committee have had the matter carefully investigated by competent persons, and they annex to this report a list of the items which in materials and labor must be expended to make the buildings and grounds secure, and what they ought to be.

It is simply a question whether the Capitol which cost upwards of half a million shall be given up to dilapidation and ultimate destruction, or whether by the timely expenditure of the sum now proposed, the building shall be protected and preserved.

Convinced of the necessity for the appropriation, your committee recommend the adoption of the accompanying bill.

On motion of Mr. Starke,

The Senate proceeded to consider

A bill to be entitled,

An act to appropriate ten thousand dollars to the repairs and improvement of the public buildings and grounds,

Was read three times under a suspension of the rule, and passed,

The title thereof standing as stated.

Mr. Mason, from the committee on claims, made the following report :

MR. PRESIDENT:—

The joint standing committee on Claims to whom was referred,
The petition of B. F. Wilkinson,

Have had the same under consideration, and have instructed me to report the same back to the Senate, and ask to be discharged from its further consideration.

Mr. West asked leave to withdraw the petition of B. F. Wilkinson,

Which was granted.

Mr. Mason, from a select committee, on made the following report,

Which was received and agreed to:

MR. PRESIDENT—

The select committee to whom was referred,

The petition of Emmarilla Jefferies, with an accompanying bill,

Ask leave to report the same back to the Senate, and recommend that its farther consideration be deferred, until the bill upon which the petition is based, shall be disposed of.

Mr. Huie made the following report,

Which was received and agreed to :

MR. PRESIDENT—

The select committee to whom was referred,

The act to amend the eighth chapter of the Revised Code entitled an act to establish the fees of certain officers,

And the amendment offered to the same,

Have had said act and amendment under consideration, and have directed me to report a substitute for the amendment offered, and recommend the adoption of such substitute as an amendment to said act referred as aforesaid, and further that said act so amended do pass.

All of which is respectfully submitted.

The Senate proceeded immediately to consider the bill entitled,

An act to amend the eighth chapter of the Revised Code, entitled an act establishing the fees of certain officers,

With the amendments.

The bill, with the amendments,

Were read,

And the amendments concurred in.

On motion of Mr. Huie,

The rule was suspended, and the bill read the third time and passed,

The title thereof standing as stated.

Mr. McLain from the committee on Propositions and Grievances, made the following report,

Which was received and agreed to.

MR. PRESIDENT :—

The committee on Propositions and Grievances to whom was referred,

The petition of citizens of Township Two, in the county of Clarke, praying the ratification of sales heretofore made of certain portions of section sixteen in said Township,

Have had the same under consideration, and have instructed me to report the accompanying bill proposing the relief asked for, and recommend to the Senate favorable action thereon.

On motion of Mr. McLain,

The Senate proceeded to the consideration of the bill entitled,

An act to ratify sales of section sixteen, Township 2, Range 14 in the county of Clark,

Which was read three times under a suspension of the rule, and passed,

The title standing as stated.

Mr. Oliver made the following report in relation to Planters' Bank Bonds,

Which was received.

[SEE APPENDIX PAGE 402.]

Mr. Neill made the following minority report on the same subject :

[SEE APPENDIX PAGE 402.]

Mr. Neill introduced,

A bill to be entitled,

An act in relation to the Planters' Bank Bonds,

Which was read once,

On motion of Mr. Thomson,

Both reports and the bill were ordered to be printed, and made the special order for Monday next 10 o'clock.

Mr. West called up,

A bill entitled,

An act supplemental to an act entitled an act authorizing the closing of Atchafalaya Bayou, in the county of Yazoo, approved December 7, 1859.

Which was read, and,
On motion of Mr. Starke,
Referred to a select committee of three.

The President appointed as said committee,
Messrs. Starke, West and Buck.

On motion of Mr. West,
The Senator from Carroll was added to the committee.

On motion of Mr. Oliver,

The Governor's message received yesterday in relation to the
memorial of the citizens of Wilkinson county, was

Referred to the Judiciary Committee.

Mr. Harrison called for the special order for 11 o'clock.

A bill entitled,

An act to grant a charter to Robert James for deepening the
coast channels of the Gulf of Mexico within the jurisdiction of
the State of Mississippi,

Was read the second time, and,

On motion of Mr. Buck,

Was ordered to be printed, and made the the special order for
Monday 11 o'clock.

Mr. Ellett asked leave to call up,

A House bill entitled,

An act to amend an act entitled an act to incorporate New Or-
leans and Ohio Telegraph Lessees, and to change the name to
that of the South-Western Telegraph Company.

Which was read twice under a suspension of the rule.

Mr. McLain offered to amend by striking out "the Mobile and
Ohio road and its branch s."

Mr. Neill offered the following amendment,

Provided, That nothing in the above act shall be so construed
as to prevent any Railroad Company on such line of Telegraph
from erecting and operating a Telegraph on or along such line of
Railroad.

A division was called for upon the adoption of Mr. McLain's
amendment.

Adopted.

Mr. Neill's amendment,

Was also adopted.

On motion of Mr. Ellett,

The bill was considered as engrossed, read a third time and
passed,

The title standing as stated.

On motion of Mr. Buck,

The Senate adjourned till 3 o'clock this evening.

THREE O'CLOCK P. M.

The Senate met pursuant to adjournment.

Mr. Chrisman asked leave to call up,

A bill entitled,

An act to incorporate the Liberty and Magnolia Railroad Company,

Was read twice under a suspension of the rule.

Pending the consideration of this bill,

The following message was received from the House of Representatives, through their Clerk, Mr. Brougher,

MR. PRESIDENT—

The House of Representatives has adopted the Senate resolutions upon Federal Relations, and has made sundry amendments thereto, in which I am instructed to request the concurrence of the Senate.

And has passed bills entitled,

An act for the relief of Malinda, and her children, Bettie, Ben, Julia and Lucien, free persons of color.

An act for the relief of William K. Posey, and John Y. Leatherwood, in the county of Chickasaw.

An act for the relief of J. W. Miller, of Lafayette county.

An act to enable James Porterfield, son of Wm. Porterfield, to sell and convey a lot of ground in the city of Vicksburg.

Mr. Oliver offered to amend by striking out the word "exclusive," in 9th section,

Which was lost.

Mr. Huie offered the following amendment:

Amend by striking out "twenty-five years after the completion of said road," and insert "fifteen years after the passage of this act, which,

On motion of Mr. Starke,

Was laid on the table.

The rule was suspended, the bill read a third time and passed,

The title thereof standing as stated.

Mr. Oliver introduced,

A bill entitled,

An act to authorize McKenzie to receive from the proper authority license to practice law in any of the courts of this State.

Which under a suspension of the rule was passed,

The title standing as stated.

Mr. Huie called up,

House bill entitled,

An act further to remedy the evils occasioned by the burning of the Court House of Attala county.

Which under a suspension of the rules was read three times, and passed,

The title standing as stated.

Mr. Covington called up,

House bill entitled,

An act to provide for and establish common schools in the county of Noxubee,

Which on the suspension of the rule was, on reading the third time, passed,

The title standing as stated.

Mr. Starke introduced the following resolution ;

Resolved, By the Legislature of the State of Mississippi, That it shall be the duty of the keeper of the Capitol to cause to be removed from the Capitol grounds all buildings or encumbrances of any kind not erected by authority of law, and all rubbish or nuisances of any kind, and prevent the grounds from being used or occupied for any purpose not authorized by law, and that he shall cause the gates of the enclosure to be kept shut, and all cattle or other stock excluded therefrom.

Which was referred to the committee on Library.

Mr. Rankin called up,

House bill entitled,

An act to provide for the transfer of the stock of the State of Mississippi in the New Orleans, Jackson and Great Northern Railroad, the Mississippi Central Railroad, and the Mobile and Ohio Railroad, to the Gulf and Ship Island Railroad Company.

The House amendment to the bill was read and adopted, to-wit :

Amend by adding to third section, in the 7th line, after the word "Stock," the following :

They may at their discretion also in conjunction with the Directors of said Company, cause additional surveys to be made with strict scrutiny in order that the southern and northern termini of said road may be fixed at the most practical points.

The amendment was concurred in.

Mr. West called up,

House bill entitled,

An act to authorize the Board of Police of Holmes county to salary its Secretary and publish its proceedings.

Which under the suspension of the rule,

Was read twice.

Mr. West offered the following amendment :

Amend by striking out in first section all after the enacting clause, and insert as follows :

That the Board of Police of Holmes county be and they are hereby authorized at their discretion to pay the Clerk of said

Board such annual salary as they may deem sufficient or just for his services—said amount to be paid out of the treasury of said county on the order of the Board. This amount to be paid in full for the services of said clerk of said Board of Police, and instead of any per diem allowance.

Mr. Wilson offered the following further amendment:

Besides necessary refreshments to the Board of Police while in session.

Mr. Oliver moved,

To lay the bill on the table,

And make it the special order for the 15th February, at 9 o'clock A. M.

Which was lost.

The bill and amendments were passed over informally.

Mr. Neill called up,

Senate resolutions upon State and Federal relations,

Which were laid on the table,

And made the special order for to-morrow 10 o'clock A. M.

Mr. McCord called up,

House resolutions on adjournment,

Which were read.

Mr. McCord offered the following amendment:

Amend by striking out Wednesday the 15th, and inserting Saturday the 11th,

Which was adopted.

The resolutions as amended were concurred in.

On motion of Mr. Buck,

The Senate adjourned until to-morrow morning 9 o'clock.

FRIDAY, Feb. 3, 1860.

The Senate met pursuant to adjournment.

The roll was called.

The Journal of yesterday was read and approved.

Mr. Huie presented a memorial and a bill to increase the salaries of District Attorneys,

Which was,

Referred to the Judiciary committee.

Mr. Ellett, from the committee on the Judiciary, made the following report,

Which was received and agreed to.

MR. PRESIDENT—

The committee on the Judiciary to whom was referred,

An act entitled,

An act to amend article two hundred and one, section forty-one, of chapter sixty-four of the Revised Code,

Have had the same under consideration, and have instructed me to report the same back with an amendment, and to recommend the adoption of the amendment, and the passage of the bill as amended.

The Senate proceeded to the consideration of

A bill to be entitled,

An act to amend the sixty-fourth chapter of the Revised Code entitled,

An act to provide for the punishment of crimes and misdemeanors.

Was read the second time,

And the amendment adopted,

And under a suspension of the rule read the third time, and passed,

The title standing as stated.

Mr. Ellett, from the committee on the Judiciary, made the following report,

Which was received and agreed to :

MR. PRESIDENT—

The committee on the Judiciary to whom was referred,

An act entitled,

An act to amend the twenty-third chapter of the Revised Code entitled,

An act for the relief and support of the poor,

Have had the same under consideration, and have instructed me to report the same back and to recommend that the said bill do pass.

The Senate proceeded to the consideration of

A bill to be entitled,

An act to amend to law relative to paupers,

Which was read the second time,

And under a suspension of the rules read the third time and passed,

The title standing as stated.

Mr. Ellett, from the committee on the Judiciary, made the following report,

Which was received and agreed to.

MR. PRESIDENT—

The committee on the Judiciary to whom was referred,

An act entitled,

An act to compensate returning officers of elections,
Have had the same under consideration, and have instructed me to report the same back with an amendment, and to recommend that the same be adopted, and the bill passed as amended.

The Senate proceeded to the consideration of

A bill to be entitled,

An act to compensate returning officers of elections,

With amendment,

Which was read the second time,

And the amendment adopted,

When the bill was read a third time, and passed,

The title standing as stated.

Mr. Ellett, from the Committee of Judiciary, made the following report,

Which was received and agreed to.

MR. PRESIDENT—

The committee on the Judiciary to whom was referred,

The petition of A. J. Smith, praying for the passage of an act to divorce him from the bonds of matrimony,

Have had the same under consideration, and have instructed me to recommend that the prayer of the petitioner be not granted.

Mr. Ellett, from the committee on the Judiciary, made the following report :

Which was received and agreed to.

MR. PRESIDENT—

The committee on the Judiciary to whom was referred,

A House bill entitled,

An act for the relief of Maston Parkman, of Lawrence county,

Have had the same under consideration and have instructed me to report the same back to the Senate and recommend its passage.

The Senate proceeded to the consideration of a bill to be entitled,

An act for the relief of Maston Parkman, of Lawrence county,

Which under a suspension of the rules was read the second and third times and passed,

The title standing as stated.

Mr. Ellett, from the committee on the Judiciary, made the following report :

Which was received and agreed to.

MR. PRESIDENT—

The committee on the Judiciary, to whom was referred,

An act entitled,

An act to re-enact the fifth section of an act to provide for the

sale of lands purchased by the State at tax sales, approved 4th March, 1848.

Have had the same under consideration, and have instructed me to report the same back, and to recommend its passage.

The Senate proceeded to the consideration of the bill to be entitled,

An act to re-enact the fifth section of an act to provide for the sale of lands purchased by the State at tax sales, approved 4th March, 1848.

Which under a suspension of the rules, read the second and third times, and passed,

The title standing as stated.

Mr. Ellett, from the committee on the Judiciary, made the following report,

Which was received,

And upon agreeing to it a division was called for by M. Simon-ton,

When it was agreed to.

MR. PRESIDENT—

The committee on the Judiciary to whom was referred,

An act entitled,

An act to authorize acting Justices of the Peace of the several counties of this State to appoint patrols in their respective districts,

Have had the same under consideration and have instructed me to report the same back and to recommend that the said bill do not pass.

Mr. Ellett, from the committee on the Judiciary, made the following report,

Which was received and agreed to.

MR. PRESIDENT—

The committee on the Judiciary to whom was referred,

A bill to be entitled,

An act to amend an act entitled an act in relation to the public revenue of this State.

Have had the same under consideration, and have instructed me to report the same back, and to recommend that the committee be discharged from the further consideration of the subject.

Mr. Ellett, from the committee on the Judiciary, made the following report,

Which was received and agreed to.

MR. PRESIDENT—

The committee on the Judiciary to whom was referred,

An act entitled,

An act to authorize Justices of the Peace to discharge the duties of Coroner in certain cases,

Have had the same under consideration, and have instructed me to report the same back, and to recommend that the same do not pass.

Mr. Ellett, from the committee on the Judiciary, made the following report :

Which was received and agreed to.

MR. PRESIDENT—

The committee on the Judiciary to whom was referred,

A House bill entitled,

An to provide for taking the census of the State of Mississippi in the year 1860,

Have had the same under consideration, and have instructed me to report the same back, with an amendment, and to recommend the adoption of the amendment, and the passage of the bill as amended.

The Senate proceeded to the consideration of,

A bill to be entitled,

An act to provide for the taking the census of the State of Mississippi in the year 1860.

Which was read the second time, and

The amendment adopted,

When Mr. McCord offered a substitute,

Which was rejected,

And the bill read the third time, and passed,

The title thereof standing as stated.

The hour having arrived,

Mr. Starke called for the special orders of the day.

A House bill to be entitled,

An act to annex a part of Tallahatchie county to the county of Sunflower, and for other purposes,

Which was read the first and second time,

When Mr. Talliaferro offered the following amendment.

Provided, That the Board of Police shall order an election to be held in the various precincts of said county of Tallahatchie, on the first Monday of April next, after the usual notice, at which the question of annexation or no annexation shall be submitted to the people of the county, and if it appear on a count of the votes cast that a majority are against said annexation, then this act is to be of no effect; and the expenses of the election to be paid out of the county treasury:

Mr. Oliver moved,

That the bill, with amendments, be indefinitely postponed.

Upon which the yeas and nays were called.

YEAS—Mr. President, Messrs. Buchanan, Covington, Chrisman, Enloe, Harrison, Mims, McCord, Oliver, Quin, Rankin, Thomson and Talliaferro—13.

NAYS—Messrs. Buck, Brasier, Davis, Ellett, Harris, Huie, McLain, Mason, Neill, Starke, Simonton, West and Wilson.—13.

The motion to lay on the table was therefore lost.

Mr. West moved,

To lay the amendment on the table,

Upon which the yeas and nays were called :

YEAS—Messrs. Buck, Brasier, Davis, Ellett, Harris, Huie, McLain, Mason, Neill, Starke, Simonton and West—12.

NAYS—Mr. President, Messrs. Buchanan, Covington, Chrisman, Enloe, Harrison, Mims, McCord, Oliver, Quin, Rankin, Thomson, Talliaferro and Wilson—14.

The motion was therefore lost.

Mr. Chrisman Moved,

To lay the bill and amendments on the table.

Upon which the yeas and nays were called.

YEAS—Mr. President, Messrs. Buchanan, Covington, Chrisman, Enloe, Harrison, Mims, McCord, Oliver, Quin, Rankin, Starke, Thomson, and Talliaferro—14.

NAYS—Messrs. Buck, Brasier, Davis, Ellett, Harris, Huie, McLain, Mason, Neill, Simonton, Thames, West and Wilson—13.

On motion of Mr. Starke,

The vote was re-considered,

When Mr. Chrisman renewed his motion to lay the bill and amendment on the table.

The yeas and nays were called.

YEAS—Mr. President, Messrs. Buchanan, Covington, Chrisman, Enloe, Harrison, Mims, McCord, Oliver, Quin, Rankin, Thomson and Talliaferro—13.

NAYS—Messrs. Buck, Braiser, Davis, Ellett, Harris, Huie, McLain, Mason, Neill, Starke, Simonton, Thames, West and Wilson—14.

Upon the adoption of the amendment a division was called,

When it was lost, 11 for and 15 against.

Mr. Oliver moved,

To make the bill the special order for 1st May next, at 11 o'clock,

When Mr. Neill moved,
 To lay the motion on the table,
 Which was carried,
 On motion of Mr. West,
 The bill was made the special order for to-morrow 11 o'clock.
 Mr. Stark moved,
 To take up the resolutions on State and Federal Relations.
 With House amendments.
 Mr. Starke moved,
 That the Senate do not concur in the House amendment to first
 resolution.
 On motion of Mr. Harrison,
 The Senate adjourn until three o'clock this evening,

THREE O'CLOCK P. M.

The Senate met pursuant to adjournment,
 And continued the consideration of the resolutions upon State
 and Federal Affairs,
 And without any action in relation to them,
 They were,
 On motion of Mr. Ellett,
 Postponed until 10 o'clock to-morrow morning.
 Mr. Brasier called up,
 A bill to be entitled,
 An act for the relief of D. H. Sheperd, of Calhoun county, and
 John Winegar, of Tishomingo county,
 Which was read three times under a suspension of the rule, and
 passed,
 The title standing as stated.
 Mr. Davis introduced,
 A bill to be entitled,
 An act declaratory of the Limitation Laws of this State,
 Which, under a suspension of the rules, was read the first and
 second times, and
 Referred to the committee on the Judiciary.
 Mr. Thames called up,
 A bill in relation to indigent children in Octibbeha county,
 And moved,
 That the Senate recede from its amendments,
 The following message was received from the House of Rep-
 sentatives, through their Clerk, Mr. Brougher,

MR. PRESIDENT—

The House of Representatives has passed the following entitled bills:

An act to authorize the appointment of public weighers, and for other purposes.

An act to confer additional powers upon the Board of Administrators of the Mississippi State Hospital.

An act to amend chapter 62, article 90, of the Revised Code, in relation to taking depositions in the Chancery Courts of this State.

An act for the relief of Benjamin D. Chase.

An act to repeal articles 151 and 152, of section 32, chapter 64, of the Revised Code of Mississippi, so far as relates to the town of Grenada, in the county of Yallobusha.

An act for the relief of William Jackson, a free man of color.

An act for the relief of Albert W. Dunbar.

And has passed, with an amendment, in which the concurrence of the Senate is desired,

The Senate bill entitled,

An act to authorize the Boards of Police of Choctaw and Winston counties to hold an election in certain townships and localities in said county, for the purposes expressed in this act.

And has concurred in the Senate amendment to the House Bills entitled,

An act to amend an act entitled,

An act to incorporate the New Orleans and Ohio Telegraph Lessees, and to change the name to that of the South-Western Telegraph Company.

The House of Representatives has also concurred in the Senate amendment to the House joint resolution fixing the time for the adjournment of this Legislature, striking out of said resolution, "Wednesday the 15th and inserting "Saturday the 11th.

MR. PRESIDENT—

The House of Representatives has adopted the following joint resolution, in which the concurrence of the Senate requested:

Resolved, [The Senate concurring,] That it is the sense of this Legislature, that the Senators and Representatives are not entitled to receive mileage for their attendance on this adjourned session, nor per diem pay during the recess between the 15th day of December last and the 16th January last.

And has passed,

A bill entitled,

An act to regulate the collection of debts against absconding debtors.

On motion of Mr. Chrisman,

The Senate adjourned until seven o'clock this evening.

SEVEN O'CLOCK P. M.

The Senate met pursuant to adjournment, the roll was called,
E Mr. Harris asked leave to call up,

A bill to be entitled,

An act to amend an act entitled an act to incorporate the Tombigbee Bridge Company, and for other purposes, approved November 27th, 1858,

Which was read the first time and under a suspension of the rules read the second time, when

Mr. Harris offered an amendment by way of an additional section,

Which was adopted,

And the bill read the third time and passed.

The title standing as stated.

An act to be entitled,

An act to confirm the sale of fractional lot No. 7, North, in the city of Jackson, made by the Auditor and Treasurer of the State to Robert a Clarke, and for other purposes,

Was read three times under a suspension of the rule and passed,

The title standing as stated.

An act to change the time of holding the Police Court in the county of Rankin,

Was read three times under a suspension of the rule and passed,

The title standing as stated.

A bill to be entitled,

An act to authorize the Boards of County Police of Adams, Wilkinson, Lawrence, Pike and Rankin, respectively to grant licences to set up and keep for public play, Billiard Tables in each of said counties,

Was read with House amendments,

When Mr West moved,

To amend the amendment by striking out the county of Holmes.

Mr. Starke moved,

To lay the bill on the table,

Upon which the yeas and nays were called :

YEAS—Mr. President. Messrs. Buchanan, Covington, Ellett, Enloe, Harrison, Harris, McLain, Mason, Neill, Rankin, Starke, Simonton, West and Wilson.—15.

NAYS—Messrs. Brasier, Chrisman, Davis, Mims, Quin, Thomson and Thames.—7.

A bill to be entitled,

An act to amend an act establishing Circuit Courts, &c., so far as it relates to the compensation of witnesses,

Was read the first time,

When Mr. Enloe offered the following amendment :

SEC. — *Be it further enacted*, That hereafter the compensation of all witnesses in this State shall be two dollars per day with the mileage now allowed by law,

Which, together with the bill,

On motion of Mr. Wilson,

Was referred to the Judiciary Committee.

A memorial of the Legislature of the State of Mississippi to the Congress of the United States in relation to the establishment of a Navy Yard at the bay of Biloxi in said State,

Which was read and adopted.

A bill to be entitled,

An act for the relief of William A. Land and the heir of J. G. Wilson, deceased,

Which was read three times under a suspension of the rule, and passed,

The title standing as stated.

A House resolution in relation to Public Buildings was,

On motion of Mr. Starke,

Laid on the table.

A House bill to be entitled,

An act to incorporate the city of Meridian,

Which was read the first time,

And under a further suspension of the rules read the second time,

When Mr. Ellett offered the following amendment,

Amend section six by striking out the words "hawkers, pedlers and retailers of ardent spirits,

Which was adopted.

The bill was read the third time and passed.

Mr. Starke moved, —

To take up the bill in relation to the Militia of the State,

Which was lost.

Mr. Starke moved,

To adjourn until to-morrow morning nine o'clock,

Lost.

An act to incorporate Brooksville, in Noxubee county,

Was read three times under a suspension of the rule, and passed,

The title thereof standing as stated.

A bill to be entitled,

An act to repeal the law incorporating the town of Raleigh, in Smith county,

Which was read three times under a suspension of the rule and passed,

The title thereof standing as stated.

A bill to be entitled,

An act to explain an act entitled an act for the relief of A. B. Montgomery and Bayless P. Shelly,

Was read the first time, and under a suspension of the rules, read the second and third times, and passed,

The title standing as stated.

A bill to be entitled,

An act to regulate the trial of slaves for criminal offences,

Was read the first time, and under a suspension of the rule, read the second time, and

Referred to the Judiciary committee.

A bill to be entitled,

An act to amend article 12, of chapter 20, of the Revised Code of Mississippi,

Which was read three times under a suspension of the rule, and passed,

The title standing as stated.

Mr. Starke asked leave to call up,

The Military bill,

Which was made the special order for Monday 7 o'clock P. M.

A bill to be entitled,

An act to legalize the lease of certain sixteenth section lands in Kemper county,

Which was read twice and referred to a select committee of three.

The President appointed as said committee,

Messrs. Enloe, Harris and Covington.

A bill to be entitled,

An act in regard to the Clerks in the Auditor's office,

Was read three times under a suspension of the rule and passed,

The title standing as stated.

A bill to be entitled,

An act to constitute the injuring or killing of animals a misdemeanor in certain cases,

Was read twice under a suspension of the rule, and

Referred to the Judiciary committee.

A bill to be entitled,

An act to prevent the sale of vinous and spiritous liquors in township 11, range 5 East, in Claiborne county,

Was read three times under a suspension of the rule and passed,

The title standing as stated.

A bill to be entitled,

An act to authorize the substitution of pleadings, and for other purposes,

Which was read twice under a suspension of the rule, and

Referred to the committee on the Judiciary.

A bill to be entitled,

An act to authorize the proof of open accounts in certain cases,
Was read twice under a suspension of the rules, and

Referred to the committee on the Judiciary.

Mr. McCord moved,

That the Senate adjourn until nine o'clock to-morrow morning.

Which was lost.

Mr. McLain offered the following resolution:

Resolved, That after to-morrow no new business shall be admissible, without the unanimous consent of the Senate, and that no member shall be allowed to speak upon any one question more than ten minutes,

Which was withdrawn.

On motion of Mr. Neill,

The Senate adjourned until to-morrow morning 9½ o'clock.

SATURDAY, Feb. 4, 1860.

The Senate met pursuant to adjournment.

The roll was called, and

The Journal of yesterday was read, and approved.

Mr. Harrison, Chairman of the Committee on Internal Improvements, reported as follows:

Which was received and agreed to.

MR. PRESIDENT—

The joint standing committee on Internal improvements, to whom was referred,

A bill to be entitled,

An act to better provide for the drainage of the swamp and overflowed lands in Harrison county,

Report the same back to the Senate and recommend it do pass.

The Senate proceeded to consideration of,

A bill to be entitled,

An act to better provide for the draining of the swamp and overflowed lands in Harrison county,

Which, under a suspension of the rules was read three times, and passed,

The title standing as stated.

Mr. Enloe made the following report,
Which was received and agreed to.

To the honorable the Legislature of the State of Mississippi :

The joint standing committee on the Institution for the instruction of the Deaf and Dumb, respectfully report,

That since the Legislature resumed its session, on the 16th ult., your committee has visited said Institution and found there such evidences of economy, comfort and cheerfulness, as well as of progress in that education which it is the main purpose of the Institution to promote, as were profoundly gratifying to its members. It affords a high degree of satisfaction to your committee to be able to report that, in their opinion, the Trustees have discharged their duties in a manner deserving the highest commendation. In the opinion of your committee the Trustees have been peculiarly fortunate in the selection of Mr. A. K. Martin, as the Principal of the Institution. With Mr. Sanders, the Assistant Teacher, (himself a pupil in the Institution,) your committee are well pleased. The Assistant in the female department is a young lady (a mute,) of intelligence and varied accomplishments, and no doubt a valuable accession to the Institution. The Matron's department is only temporarily filled by an elderly lady whose acquaintance your committee did not make.

Prior to the November Term, 1857, of the Legislature, pay pupils were admitted into the Institution, but the Legislature at that session made it free to all deaf and dumb people of good character residing in this State. As regards the policy of that act your committee withholds any expression of opinion, but would not recommend at the present time an exchange from the new to the old system. So far as your committee are informed the free system is the prevailing one in like Institutions. Your committee deprecate the intimation implied, at least, in the report of the Trustees now before your honorable body, that the wealthy amongst our people will send their mute children abroad to be educated. The policy of the State should be to make the Institution equal to any to be found elsewhere, trusting something at least to the liberality and munificence of her wealthy citizens whose unfortunate offspring may have been its beneficiaries. At the time of the meeting of the Legislature in November last the number of pupils in the Institution was, according to the Principal's report, thirty-four. At the date of your committee's visit it was forty-five, showing an increase of eleven according to the estimate now made by the Principal, (upon what date your committee are not informed,) the number before the next regular meeting of the Legislature will be increased to sixty. The fact that in 1857, the number was only sixteen, (see Principal's report, page four,) and is now forty-five, warrants in the opinion of your committee the assumption of a continued increase.

In the opinion of your committee, founded on an examination of the vouchers in the hands of the Clerk and Treasurer, the expenditures of the Institution have been kept strictly within its necessities. Its purchases have, however, been made principally, if not exclusively, in the market of this city, and in such quantities and at such times as indicate they were made at retail prices. How far its expenditures might be abridged by a different course of dealing, and how far a different course would be found expedient, your committee is not prepared to report, but would suggest that the same system of domestic economy which applies to the affairs of a family with, perhaps, some modifications, having in view both cost and convenience, might be with advantage adopted in the management of the affairs of the Institution.

The Trustees receive no compensation for their services, and hence could not be reasonably, without a change in that particular, required to devote any additional time and attention to the affairs of the Institution, but your committee, without consultation with the Trustees, submit that to allow them reasonable pay and require of them, in person, increased attention to the outlay of the Institution's money, and to require that so far as at all expedient its purchases be made in a cheaper market and at wholesale prices.

By act approved November 19th, 1857, the sum then in the Treasury of the Institution, unexpended, of a former appropriation, was appropriated to the necessary repairs of the building of the Institute. At the same time an annual standing appropriation not exceeding six thousand dollars, inclusive of the then annual standing appropriation to the Institution, was made. These two appropriations constituted the entire revenue of the Institution for the two years ending with the 31st day of October last. The amount of the first appropriation being, as shown by the Treasurer's report, four thousand three hundred and forty-two dollars and sixty cents, of which sum, according the same report, \$372 17 remains unexpended. Your committee would here call the attention of your honorable body to the fact that all the expenditures charged to this fund were not made strictly in pursuance of the act of appropriation, but that a portion of it was expended in the purchase of cows and calves and of other things deemed necessary for the use of the Institution and its inmates, and which your committee are satisfied were so necessary. Yet in strict accordance with the law, they could not be paid for out of that fund. It is, however, to be remarked, that the same report of the Treasurer shows an unexpended balance of \$258 78 of the annual appropriation, which sum, although your committee did not make the estimate, will not fall far short of balancing the amount of expenditures erroneously charged to the special fund, and for so much will make the error one simply in accounting rather than of a misapplication of money. No disposition to do wrong is imputable to the Trustees or to the Clerk and Treasurer,

but your committee deem it due to truth and to their own position, to state the foregoing facts as they are found to exist. At the date of making his report the Treasurer's estimate was that \$8,000 (eight thousand dollars) per annum would cover the expenses of the Institution from November 1st, 1859, until November 1st, 1861. Owing to the increased number of pupils since that date it is now the opinion of the Principal that one thousand dollars annually should be added to that sum, which opinion your committee think is correct. The propriety of appropriating the sum of five hundred dollars annually for the establishment of a work-shop of some kind in which the male pupils may be instructed in the mechanical arts, (a carpenter's shop being preferred,) has been earnestly urged upon the consideration of your committee by the Principal, whose views, in that particular, are fully concurred in by your committee. At the suggestion, by some members of your committee that like provision might be, with advantage, made for the female pupils, it was stated by the Principal to your committee that the female pupils, under the direction of the Matron, have been accustomed to do the sewing for the Institution; the Matron cutting out the work for them. He further states that they have been instructed by that lady about household work generally. The suggestion of a small appropriation to procure the occasional assistance of a milliner to teach them the art of cutting out garments, &c., meet his entire approval, for which purpose he thinks one hundred dollars annually will be sufficient, in view of all which matters your committee beg leave to report the accompanying bill, and to recommend its passage,

A bill to be entitled,

An act to provide for the support of the Institution for the instruction of the Deaf and Dumb,

Was read three times under a suspension of the rule, and passed,

The title standing as stated.

Mr. Bachanan made the following report,

Which was received and agreed to:

MR. PRESIDENT—

The select committee to whom was referred,

The bill to authorize the Board of County Police of Tippah county to invest the three per cent. fund in the bonds of the Ripley Railroad,

Have had the same under consideration and have instructed me to report the same back to the Senate with an amendment, and recommend that it do pass.

Amend 1st section of bill by inserting the words, "first mortgage bonds of the," after the words "the" in said section,

Which was adopted,

And the bill, under a suspension of the rules, was read the second and third times and passed,

The title standing as stated.

Mr. McLain, from a select committee, made the following report,

Which was received and agreed to :

MR. PRESIDENT :—

The select committee to whom was referred,

The proposition to memorialize Congress in relation to public lands within six miles of the Mobile and Ohio Railroad,

Have had the same under consideration, and have instructed me to report the same memorial back to the Senate and ask for favorable action thereon.

The Senate proceeded to the consideration of,

A memorial to the Congress in relation to public lands within six miles of the Mobile and Ohio Railroad,

Which was read once and adopted.

Mr. Buck, from the committee on the Judiciary, made the following report,

Which was received and agreed to.

MR. PRESIDENT—

The committee on the Judiciary to whom was referred,

A bill to be entitled,

An act to provide for the better securing of titles to lands held and claimed under tax sales and tax titles,

Have had the same under consideration, and have instructed me to report the same, with the accompanying amendments, back to the Senate, and recommend its passage, as amended.

The Senate proceeded to the consideration of,

A bill to be entitled,

An act to provide for the better securing of titles to lands sold and claimed under tax sales and tax titles,

Which, with amendments,

Was read the second time,

And made the special order for Monday 11 o'clock and ordered to be engrossed.

Mr. Thomson, from the committee on the Judiciary, made the following report,

Which was received and agreed to.

MR. PRESIDENT—

The committee on the Judiciary to whom was referred,

An act entitled,

An act to authorize the children of Mrs. Josephine Harrington,

the wife of Dr. J. F. Harrington, to be maintained out of the income of their separate property,

And who were instructed to inquire into the expediency of providing for all similar cases, by a general law,

Have had the same under consideration, and have intructed me to report a general act entitled,

An act to provide for the support of infants in certain cases,

And to recommend its passage.

The Senate proceeded to consideration of,

A bill to be entitled,

An act to provide for the support of infants in certain cases,

Which under a suspension of the rules was read three times, and passed,

The title standing as stated.

Mr. Davis, from the committee on the Judiciary; made the following report,

Which was received and agreed to :

MR. PRESIDENT—

The committee on the Judiciary to whom was referred,

A bill to be entitled,

An act to declare Silver Creek, in Yazoo county, a navigable stream,

Have had the same under consideration, and have instructed me to report the same back with a substitute, and recommend that it do pass.

The Senate proceeded to the consideration of

A substitute bill to be entitled,

An act to declare Silver Creek, in Yazoo county, a navigable stream, and for other purpose,

Which was read the second and third time under a suspension of the rule, and passed,

The title standing as stated.

Mr. Ellett, from the committee on the Judiciary, made the following report,

Which was received and agreed to.

MR. PRESIDENT—

The committee on the Judiciary to whom was referred,

An act entitled,

Ad act to amend an act entitled an act to authorize a compilation of Criminal Law, approved Feb. 21, 1854,

Have had the same under consideration, and have instructed me to report the same back without amendment, and to ask to be discharged from the further consideration of the subject.

On motion of Mr. Mims,

The Senate proceeded to the consideration of

A bill to be entitled,

An act to amend an act entitled,
 An act to authorize a compilation of the Criminal Law, approved
 Feb. 21st, 1854,
 Which was read the second time,
 When Mr. West offered an amendment,
 And on motion of Mr. Thomson,
 Its consideration was postponed until Monday evening 3 o'clock.
 Mr. McLain moved,
 A reconsideration of the vote in relation to the confirmation of
 tax titles to John J. McRae,
 Its reference to the Judiciary committee.
 The Senate proceeded to the consideration of
 The special orders of the day,
 Pending the consideration of which,
 On motion of Mr. Harrison,
 The Senate adjourned till 3 o'clock this evening.

THREE O'CLOCK P. M.

The Senate met pursuant to adjournment.
 Mr. Davis, Chairman of the committee on Enrolled Bills,
 offered the following report:
 Which was received and agreed to.

MR. PRESIDENT—

The committee on Enrolled Bills would report that they have
 examined the following bills,

An act to incorporate the Grenada, Houston and Eastern
 Railroad Company.

An act authorizing certain fines and penalties to be paid to the
 Treasurer of the county of Hinds.

And would report that they find the same correctly enrolled.

Mr. Simonton made the following report,

Which was received and agreed to.

MR. PRESIDENT—

The select committee to whom was referred,

A petition in relation] to Druggists retailing vinous and
 spiritous liquors at Oxford,

Have had the same under consideration, and have instructed
 me to report the inclosed bill and recommend its passage.

The Senate proceeded to the consideration of

A bill to be entitled,

An act to further amend the law in relation to the sale of

vinous and spirituous liquors within the prescribed limits of the University of Mississippi,

Which was read three times under a suspension of the rule and passed,

The title standing as stated.

Mr. Harris introduced,

A bill to be entitled,

An act to repeal the 1st section of the 35th chapter of the Revised Code, and to remove all doubts as to the legality of all corporations created or attempted to be created under its power,

Which was read the first time and under a suspension of the rules read the second time, and,

Referred to the Judiciary committee.

Mr Thomson, from a select committee, made the following report,

Which was received and agreed to.

MR. PRESIDENT—

The select committee to whom was referred,

The resolution of the joint standing committee on the Treasurer's office,

Have had the same under consideration, and have instructed me to report the following as a substitute therefor, and recommend its adoption.

The resolution accompanying the report, with the amendments offered, were,

On motion of Mr. McCord,

Laid on the table.

The Senate proceeded to the consideration of

The special order of the day,

When Mr. Oliver moved,

To postpone it until Monday next 11 o'clock.

The special orders were called up,

A bill in relation to the division of Yallobusha county,

Was made the special order for Tuesday next 11 o'clock.

An act to incorporate the town of Meadville, in Franklin county,

Was read the second time,

When Mr. Ellett offered the following amendment :

Amend the second section in striking out the words "or may otherwise regulate the trafic within said limits,

When under a suspension of the rules was read a third time, and passed,

The title standing as stated.

A bill entitled,

An act for the benefit of schools in township 5, range 3 East, county of Rankin,

Which under a suspension of the rules was read three times and passed,

The title standing as stated.

An act to prohibit the sale of intoxicating liquors within the town of Orizaba, in the county of Tippah, or within one mile thereof,
Was read three times under a suspension of the rule, and passed,

The title standing as stated.

An act for the relief of Arthur K. Barlow, and for other purposes,

Was read three times under a suspension of the rule and passed,

The title standing as stated.

A bill to be entitled,

An act to amend the laws in relation to free negroes and mulattoes in this State, and for other purposes,

Was read the second time, and,

Referred to the Judiciary Committee.

A bill to be entitled,

An act to release to the heirs of Wm. H. Compton the interest of the State of Mississippi, in and to certain lands therein designated,

Was read twice under a suspension of the rule, and

Referred to the Judiciary committee.

A bill to be entitled,

An act to change the name of Walter Stanley to Walter Washington Griffis, and constitute him the heir at law of Martin L. Griffis of DeSoto county,

Which, under a suspension of the rules, was read once and indefinitely postponed.

A bill to be entitled,

An act to amend the laws relative to estrays,

Was read the first time, and under a suspension of the rule, read the second time, and

Referred to the Judiciary committee,

Together with an amendment offered by Mr. Howry.

A bill to be entitled,

An act to prohibit the sale of intoxicating liquors in the town of Chesterville and vicinity, in Pontotoc county,

Was read three times under a suspension of the rule, and passed,

The title remaining as stated.

A bill to be entitled,

An act for the relief of Jos. R. Milam,

Was read three times under a suspension of the rule and passed,

The title standing as stated.

A bill to be entitled,

An act to reduce the penalty of the bonds of Justices of the Peace and Constables, in the county of Hancock,

Was read the first time; and under a suspension of the rules,
read the second time,

And Mr. West offered the following amendment,

Which, together with the bill,

Was referred to the Judiciary committee.

Mr. Talliaferro moved,

That Mr. Mims be added to the committee on the Militia.

Mr. Ellett moved,

The Senate adjourned until Monday morning 9 o'clock.

MONDAY, Feb 6, 1860.

The Senate met pursuant to adjournment,

The roll was called,

And the Journal of yesterday was read and approved.

Mr. Harris introduced,

A bill entitled,

An act for the benefit and protection of Odd Fellows Rest, Aberdeen, Mississippi,

Which under a suspension of the rules was read three times,
and passed,

The title thereof standing as stated.

Mr. Harris made the following report:

MR. PRESIDENT—

The committee on Education to whom was referred,

A bill for the benefit of Fayette Female Academy,

Have had the same under consideration and have instructed me
to report the same back and to recommend its passage.

The bill referred to in the report,

Was read under a suspension of the rules the second and third
times, and passed,

The title standing as stated.

Mr. Davis, from the committee on the Judiciary, made the following report,

MR. PRESIDENT :—

The committee on the Judiciary to whom was referred,

A bill to be entitled,

An act declaratory of the limitation laws of this State,

Have had the same under consideration, and would report the
same back, and recommend that it do pass.

The bill referred to in the report was, under a suspension of the rules, read three times, and passed,

The title standing as stated.

The following message was received from the House of Representatives, through their Clerk, Mr. Brougher,

MR. PRESIDENT—

The House of Representatives has adopted the following joint resolution.

In which the concurrence of the Senate is desired.

Resolved, That the thanks of this Legislature be, and are hereby tendered to Col. F. M. White, President of the Mississippi and Tennessee Railroad, for his generous liberality in furnishing the members with free tickets to travel over said road for the next twelve months.

And have concurred in Senate amendments to House bills entitled,

An act to prohibit the sale and gratuitous distribution of vinous, spirituous and fomented liquors within two miles of Westville Seminary, in Simpson county, and for other purposes,

An act to amend an act entitled an act to incorporate Tombigbee Bridge Company, and for other purposes, approved November 27th, 1858.

And has passed Senate bills entitled,

An act for better securing to purchasers of swamp lands in Harrison county titles to the same.

An act to confer upon the Probate Court of Simpson county jurisdiction over the estate of Robert Slater, deceased.

An act to incorporate the town of Athens, in the county of Monroe.

An act to incorporate the Aberdeen Masonic High School,

And has concurred in the Senate amendments to House bills entitled,

An act to repeal several parts of acts relative to the sale of vinous and spiritous liquors, so far as the same may apply to the county of Smith.

An act to incorporate the city of Meridian.

And has passed, with amendments,

Senate bills entitled,

An act to regulate the fees of the Clerk of the Circuit and Chancery Courts of Hinds county.

An act to prevent the destruction of oysters in this State.

And has passed House bills entitled,

An act to incorporate the Pickensville Branch Railroad Company.

An act to establish a system of common schools in the county of Coahoma, and for other purposes.

An act in relation to the Bank of Mississippi, incorporated by act of February 26, 1836, as the Lake Washington and Deer Creek Railroad and Banking Company, and whose name and style was changed to the Bank of Mississippi by act approved February 16, 1838.

An act to repeal all laws heretofore passed, declaring navigable the Chickasahay river, so far as the same applies to said river above the town of Winchester.

An act to incorporate the town of Bonner, in Calhoun county.

An act to prevent the sale of vinous and spirituous liquors within three miles of Slate Springs Academy, in Calhoun county.

An act to incorporate the town of Ellistown, in the county of Pontotoc.

An act to incorporate the Brandon State Military Institute, and for other purposes.

An act for the relief of Joe Bird, a free man of color.

An act to authorize the licensing of Billiard Tables in certain counties therein named.

An act to prevent levees constructed in Warren county from injury.

An act amending chapter 15, of the Revised Code, so far as the same applies to the county of Warren.

An act to incorporate Wilson's Hall, in Marshall county.

An act to reduce the price and to dispose of the unsold swamp and overflowed lands in the counties of Hancock, Marion, Lawrence, Simpson and Copiah.

An act for the relief of Sallie Walker, a free woman of color, of Oktibbeha county.

An act to prohibit the sale of intoxicating liquors within the town of Ruckersville, in the county of Tippah, or within one mile and a half thereof.

An act to authorize the Board of Police of Tishomingo county to grant a licence for Billiard Tables, and for other purposes.

An act to incorporate the town of McNutt, in the county of Sunflower.

An act for the relief of Mrs. H. A. Nietseke, of DeSoto county.

An act for the relief of Wm. King, a free man of color, of Tishomingo county.

An act to incorporate the town of Rockyford, in Pontotoc county.

An act to regulate the sale of vinous or spirituous liquors within the limits of sections 23, 24, 25, 26, in township 6, range 1, in Marshall county.

An act to authorize the Board of Police of Madison county to purchase a half section of land for the use of paupers.

An act for the benefit of township 10, range 5 east, in Madison county.

An act to amend an act entitled an act to incorporate the city of Canton, approved February 24th, 1856.

An act in relation to the service of process on Railroad Companies in this State.

An act for the relief of George Burnett, a free man of color of Itawamba county.

An act to incorporate the Carroll County Manufacturing Company.

An act to amend an act to render into one, the several acts heretofore passed in relation to sixteenth sections and common schools, so far as the same relates to Hinds county.

An act to increase the salary of the Probate Judge of Sunflower county.

An act to prohibit the sale or distribution of intoxicating liquors except in certain cases, within two miles of the town of Mt. Carmel, in the county of Covington, Beat No. 4.

An act to change the time of holding the Circuit Courts in the 8th Judicial District.

An act to more fully secure the school funds of Calhoun county, and define the duty of the County Treasurer.

An act to amend an act entitled an act to establish a Hospital in the town of Grand Gulf, approved February 25, 1842.

An act to incorporate the town of French Camp, and for other purposes.

An act to incorporate the Amite County Female Academy, located in the town of Liberty, in the county of Amite.

And Senate bills entitled,

An act to prohibit the sale of vinous and spirituous liquors in township 21, of range 4 east, in the county of Carroll.

An act in relation to the Circuit and Chancery Courts of Lawrence county.

Mr. Starke, from the committee on Public buildings, made the following report,

Which was received and agreed to.

MR. PRESIDENT—

The committee on Public Buildings to whom was referred,

An act for the better protection of the State Capitol, and for other purposes,

Have had the same under consideration, and have instructed me to report the same back to the Senate, and recommend that it do pass.

The bill referred to in the report was,

Under a suspension of the rules read three times, and passed,

The title thereof standing as stated.

Mr. Oliver presented the petition of the citizens of Tunica county,

Which was

Referred to the committee on Propositions and Grievances.

Mr. McCord presented the petition of sundry citizens of Tishomingo county, which,

On motion of Mr. McCord,

Was

Referred to a select committee of three.

The President appointed as said committee,

Messrs. McCord, Wilson and Covington.

Mr. Huie, from the committee on Finance, made the following report :

MR. PRESIDENT :—

The committee on Finance to whom was referred,

The bill for the benefit of the Sheriff of Hinds county,

Have had the same under consideration, and have instructed me to report the same back to the Senate, and to recommend that said bill do not pass.

Mr. Ellett, from a select committee, made the following report,

Which was received and agreed to:

MR. PRESIDENT—

The select committee to whom was referred,

A House bill to be entitled,

An act to amend the swamp land law of Franklin and Amite counties,

Have had the same under consideration, and have instructed me to report the same back, and to recommend its passage.

The bill referred to in the report was,

Under a suspension of the rules read three times, and passed,

The title standing as stated.

Mr. Ellett made the following report,

Which was received and agreed to :

MR. PRESIDENT—

The select committee to whom was referred,

An act to grant certain powers to the Board of Administration of the Mississippi State Hospital at Natchez,

Have had the same under consideration, and have instructed me to report the same back, and to recommend its passage.

The bill referred to in the report was,

Under a suspension of the rules read three times and passed,

The title thereof standing as stated.

Mr. Wilson, from a select committee of three, made the following report,

Which was received and agreed to.

MR. PRESIDENT—

The select committee to whom was referred,

A bill to be entitled,

An act for the collection and preservation of the annals relating to the Natchez District.

Have had the same under consideration and have instructed me to report the same back and to recommend its passage.

A bill to be entitled,

An act for the collection and presservation of the annals relating to the Natchez District,

Was, under a suspension of the rules, read twice, and passed,

The title thereof standing as stated.

Mr. Buck, from a select committee made the following report,

Which was received and agreed to.

MR. PRESIDENT—

The select committee to whom was referred,

An act supplemental to an act entitled an act authorizing the closing of Atchafalaya Bayou, in the county of Yazoo, approved December 7, 1859.

Have had the same under consideration, and have instructed me to report the same back to the Senate, and recommend its passage.

The bill referred to in the report was,

Under a suspension of the rules, read the second and third times, and passed,

The title standing as stated.

Mr. Ellett presented the memorial of sundry citizens of Adams county, praying that, in any law to be passed on the subject of the expulsion of free negroes, the power be reserved to the Boards of Police to discriminate and to grant permission to remain in Adams county to such as they may see proper,

Which was read, and,

On motion of Mr. Ellett,

Was

Referred to the Judiciary committee.

Mr Ellett also presented the petitions of Henry Savage, a free man of color, and of sundry citizens of Jefferson county, praying that the said Henry Savage may be licensed by the Legislature to remain in the said county of Jefferson,

Which was read, and,

On motion of Mr. Ellett,

Referred to the committee on the Judiciary.

Mr. Thomson introduced,

A bill to be entitled,

An act to prevent the removal of property from this State upon which there is a lien, and for other purposes,

Which, under a suspension of the rules, read the first and second time, and

Referred to the committee on the Judiciary.

Mr. Starke introduced,

A bill to be entitled,

An act to change the county of Bolivar to the third district for the election of Judge of the High Court of Errors and Appeals,

Which under a suspension of the rules, read the three times, and passed,

The title standing as stated.

Mr. Buck introduced,

A bill to be entitled,

An act to regulate the contracts of hands on steamboats,

Which under a suspension of the rules was read the first and second times, and

Referred to the committee on the Judiciary.

Mr. McRae introduced,

A bill to be entitled,

An act to amend the Constitution of the State of Mississippi.

Which, under a suspensin of the rules, was read the first and second times, and,

On motion of Mr. Howry,

Referred to a select committee of three.

The President appointed as said committee,

Messrs. Howry, Neill and McRae.

Mr. Howry introduced,

A bill to be entitled,

An act to change the time of holding the Circuit Court of Panola county, and to limit the time for holding said Court in Lafayette county,

Which, under a suspension of the rules, was read the first and second times, and,

On motion of Mr. Howry,

It was referred to a select committee of three.

The President appointed as said committee,

Messrs. Howry, Talliaferro and Thomson.

Mr. Neill introduced,

A bill to be entitled,

An act to prohibit traffic at private landings on the Mississippi river without the consent of owners,

Which was read three times under a suspension of the rule, and passed,

The title standing as stated.

On motion of Mr. Mason,

The House messages were taken up.

A House bill to be entitled,

An act to prevent injuries to ditches across public roads,

Was read three times under a suspension of the rule, and passed,

The title standing as stated.

A House bill to be entitled,

An act to amend the various acts of corporation of the town of Coffeeville, in the county of Yallobusha, and for other purposes,

Which, under a suspension of the rules, was read the first and second times, and

Referred to a select committee of three.

The President appointed as said committee,

Messrs. Brasier, Harrison and Buchanan.

A House bill to be entitled,

An act for the relief of Wm. T. Womack, of DeSoto county.

Which was read three times under a suspension of the rule, and passed,

The title standing as stated.

Mr. Howry called for the special order of the day,

The Senate resolutions on Federal Affairs were taken up,

And pending their consideration,

The following message was received from the House of Representatives, through their Clerk, Mr. Brougher,

MR. PRESIDENT—

The House of Representatives has concurred in the Senate amendments to House bills entitled,

An act to regulate the venue of actions against Railroad Corporations.

An act for the benefit of schools in Township 3, Range 3 east.

An act to provide for taking the census of the State of Mississippi in the year 1860,

And has passed, with an amendment,

The Senate bill entitled,

An act for the benefit of the family of the Hon. B. R. Webb, late Secretary of State.

And has passed the Senate bill entitled,

An act to extend the provisions of an act for the relief of the State University, approved March 6th, 1856, to the University of Mississippi for two years after 6th March next, and for other purposes.

Also,

Resolutions in relation to the appointment of a Commissioner to investigate the Seminary Fund, and other similar matters.

Also,

A House bill entitled,

An act to provide for the election of Trustees of the 16th sections, and other purposes, so far as relates to the counties of Yallobusha, Clarke and Tallahatchie.

On motion of Mr. Ellett,

The Senate adjourned until three o'clock this evening,

THREE O'CLOCK P. M.

The Senate met pursuant to adjournment,

Mr. Oliver moved,

That the Senate do not concur in the first House amendment,

Which was adopted,

Mr. West moved,

That the Senate concur in the second amendment.

Adopted.

Mr. West moved,

To concur the third amendment,

Which was agreed to :

Mr. Ellett moved,

That the Senate do not concur in the fourth amendment,

Adopted.

Mr. Ellett moved,

That the Senate request the House of Representatives to return a bill in relation to the Mississippi State Hospital, at Natchez.

A House bill to be entitled,

An act to confer additional powers upon the Board of Administrators of the Mississippi State Hospital.

Was read three times under a suspension of the rule and passed,

The title standing as stated.

Mr. Rankin introduced,

An act for the better protection of schools in this State,

Which was read twice under a suspension of the rule, and

Referred to the committee on Education.

Mr. Oliver introduced,

A resolution requesting the concurrence of the House in striking out of the resolution appointing a Commissioner to examine the Seminary Fund, the word "ten" before dollars, and insert "five."

Mr. Simonton moved,

The Senate adjourn till 7 o'clock.

SEVEN O'CLOCK P. M.

The Senate met pursuant to adjournment,
And proceeded to consider the special orders.

A bill entitled,

An act further to regulate the militia and volunteer system.

On motion of Mr. Starke,

The Senate resolved itself into a committee of the whole for the consideration of said bill,

Hon. P. B. Starke was called to the chair.

After sitting some time, they arose, reported progress and asked to be discharged from the further consideration of the bill.

On motion of Mr. Starke,

The bill was

Referred to a select committee of three.

The President appointed as said committee,

Messrs. Neill, Davis and Ellet.

Mr. Mims called up,

A Senate bill to be entitled,

An act to increase the salaries of certain officers therein named.

It having been erroneously reported to the House.

On motion of Mr. Mims,

The Secretary was directed to make the necessary correction, and report it back to the House.

On motion of Mr. Davis,

The Senate adjourned until to-morrow morning 9 o'clock.

TUESDAY, Feb. 7, 1860.

The Senate met pursuant to adjournment.

The roll was called, and

The Journal of yesterday was read, and approved.

Mr. McRae presented the petition of sundry citizens of the city of Shieldsboro' in relation to free negroes,

Which was,

Referred to the Judiciary committee.

Mr. Mason, from the committee on claims, made the following report:

Which was received and agreed to.

MR. PRESIDENT:—

The joint standing committee on Claims to whom was referred,
A bill for the relief of L. D. Rhodes, Sheriff of the county of Rankin,

Have had the same under consideration and have instructed me to report the same back to the Senate and recommend its passage.

A bill to be entitled,

An act for the relief of L. D. Rhodes, Sheriff of the county of Rankin,

Was, under a suspension of the rules, read the second and third times, and passed,

The title standing as stated.

Mr. Mason, from the committee on Claims, made the following report:

MR. PRESIDENT—

The committee on Claims to whom was referred,

The petition of Henry Myers,

Have had the same under consideration, and have instructed me to report the same back to the Senate, and recommend that the prayer of the petitioner be not granted.

Upon receiving and agreeing to it,

Mr. Buck called for a division of the question,

When it was received but disagreed to.

Mr. Buck moved,

That it be re-committed to the committee on Claims, with instruction to change the compensation from five to two and a half dollars, and to report the general appropriation bill.

Mr. Ellett moved,

That the petition of sundry citizens of Claiborne county, praying for the passage of a law for the expulsion of free negroes from the State, presented by him on a former day of the session, be taken from the table,

Which was ordered, and,

On motion of Mr. Ellett,

The said petition was,

Referred to the Judiciary Committee.

The following message was received from the Governor, through his private Secretary, Mr. Campbell:

EXECUTIVE OFFICE,
City of Jackson, Miss., Feb. 7, 1860.)

MR. PRESIDENT—

I hereby deliver to the Senate a message of the Governor, with accompanying documents.

Mr. Buchanan, from the committee on Propositions and Grievances, made the following report:
Which was received and agreed to.

MR. PRESIDENT—

The committee on Propositions and Grievances to whom was referred,

The petition of sundry citizens of Tunica county, on the subject of levees,

Have had the same under consideration, and have instructed me to report the same back to the Senate and ask to be discharged from the further consideration of the subject.

Mr. Harrison made the following report,

Which was received and agreed to.

MR. PRESIDENT—

The committee to whom referred,

A bill entitled,

An act to legalize the lease of certain sixteenth section lands in Kemper county,

Have had the same under consideration, and beg leave to report the bill back, and to be discharged from the further consideration of the same.

A bill to be entitled,

An act to legalize the leases of certain sixteenth section lands in Kemper county.

Was under a suspension of the rule read the second and third times, and passed,

The title standing as stated.

Mr. West made the following report,

Which was received and agreed to.

MR. PRESIDENT—

The committee to whom was referred,

A bill entitled,

An act for the benefit of Ann Mataw, a free woman of color,

Ask leave to report the same back and be discharged from the further consideration.

Mr. Ellett made the following report,

Which was received and agreed to.

MR. PRESIDENT—

The Joint Standing committee on the State Library have examined into the affairs of the Library, and have instructed me to make the following report:

The State Library was established by an act approved February 15, 1838, by which an appropriation of \$3000 was made for

the foundation of the Library, and an additional sum of \$1000 annually for its gradual enlargement. By an act passed February 14, 1842, the annual appropriation was reduced to \$500, at which sum it has remained until the present time. By an act passed March 5, 1846, a special appropriation of \$2000 was made to pay debts then due for books purchased; and by an act passed in February, 1857, another sum of \$2000 was appropriated to supply deficiencies then existing in the Library. The whole amount thus appropriated amounted, up to, and including the year 1859, to the sum of \$20,000, as follows:

Specific appropriation by act of Feb. 15, 1838..	\$ 3,000 00
Annual appropriation by same act for 1838, 1839, 1840 and 1841, at \$1,000 per annum.....	4,000 00
Annual appropriation by act of Feb. 14, 1842, to Feb. 14, 1860, 18 years, at \$500 per annum..	9,000 00
Special appropriation by act of March 5, 1846...	2,000 00
Special appropriation by act of Feb. 2, 1857....	2,000 00
Total.....	\$20,000 00

In pursuance of a resolution reported by this committee, and adopted by the Legislature, at the present session, calling upon the Auditor for a statement in detail of the sums expended in the purchase of books, &c., for the Library, and also of the aggregate amount expended on account of the contingent expenses of the Library, the Auditor has furnished a statement in detail of all the disbursements made on account of the Library, as well for the salary of the Librarian, as for the purposes indicated in the resolution, which report shows the total amount expended on account of the Library under all these heads to be the sum of \$29,451 71.

It is manifestly improper that the salary of the Librarian since the year 1844, should be charged to the Library. The law since that date has not recognized the existence of any such separate office as that of Librarian—but on the contrary has devolved the duties of Librarian upon another officer, to whom a salary is paid to-wit—the Keeper of the Capitol. The committee have endeavored to separate the items of said report, and to arrange them under the three appropriate heads above mentioned. They are not satisfied that they are entirely accurate in the conclusions they have reached; but according to their best judgment, it appears that there has been expended in the purchase of books, &c., the sum of \$13,650 42, leaving to the credit of the Library an unexpended balance of appropriations of \$6,349 58.

By the original act of 1858, a sum not exceeding \$500 per annum was appropriated for the contingent expenses of the Library, incurred for stationery, firewood, candles, and the binding of books, which was reduced by the act of 1842, to the sum of \$200 per

annum. The aggregate amount from 1838 to February 14, 1860, is \$5,600, as follows :

For the years 1838, 1839, 1840 and 1841, at \$500.....	\$2,000 00
From February 14, 1842, to February 14, 1860, 18 years, at \$200.....	3,600 00
Total.....	\$5,600 00
The aggregate amount expended, appears by an analysis of the report of the Auditor, to be....	\$4,698 38
Leaving an unexpended balance to the credit of the contingent fund of.....	901,62

By the original act, the Governor, the three Judges of the High Court of Errors and Appeals, Chancellor, Secretary of State, Auditor and Attorney General, were made *ex officio*, Trustees of the Library, and were authorized to appoint the Librarian, and to prescribe rules and regulations for its Government. In 1844, the duties of Librarian were devolved upon the Keeper of the Capitol. The office of Chancellor was abolished in 1857, and by an act passed in that year, the Treasurer of the State was made one of the Trustees.

By the original act it was made the special duty of the Trustees to report to the Legislature biennially the manner in which the money received by them during the two preceding years had been expended, together with a true and perfect catalogue of all the books, maps and charts, remaining in the Library. The law did not expressly require them to keep a record of their proceedings, but that duty was plainly enjoined on them by the very nature of their office.

However, by the act of March 3, 1848, the Librarian was made the Secretary of the Trustees, and was required to keep a record of their proceedings, with all orders for the purchase of books ; and by the same act, the Governor, who is *ex officio* the President of the Board, was required biennially to report to the Legislature the condition of the Library, with a catalogue of the books purchased during the two preceding years. The duty of making this report was again by the act of 1857, devolved upon the Trustees as a Board, and the provision requiring such report from the Governor as President of the Board, was omitted from the statutes. The law has thus always provided for the preservation of the history of the progress of the Library, and for the means of a ready access to full information as to its condition.

The committee, in pursuing its investigations, have not been able to find in the Library any record of any proceedings of the Trustees, or any evidence that any meetings of the Board have been held since the foundation of the Library. The existence of

a series of rules and regulations for the government of the Library, the last of which appears to have been adopted Nov. 3, 1848, to be found in the printed catalogues, goes to show that such meetings were held, more or less frequently, in the early days of its existence, but no record evidence is to be found that these rules and regulations were ever adopted by the Trustees.

Prior to 1848, the Trustees had no official Secretary, and were not, as already observed, expressly required to preserve a record of their transactions. Since 1848, the Librarian has been their Secretary, and it has been his official duty to keep a record of their proceedings.

But not even a minute book is to be found in the Library, and the late and present Librarians informed the committee that they had never seen any such book. No meeting of the Board of Trustees was held while the late Librarian was in office, and the committee are satisfied, from all the information they can obtain, that no such meeting, except of an informal character, has been held for several years.

In the meantime the expenditures for the increase of the Library appear to have been made without any compliance with the law, which requires that the books shall be ordered by the Board, and that the orders for books shall be recorded in the minutes, and no account has been kept in the Library showing the condition of the funds, or the manner of their disbursement.

The provision in the law requiring a biennial report to be made to the Legislature, showing the condition of the Library and the manner in which the appropriations for the two preceding years have been expended, does not appear to have been ever complied with, either by the Governor or the Trustees. No such report has been found by the committee, and it is certain that none has been made in the last eight years, although at a former session, as well as at the present, such report has been expressly called for, by a formal vote of one or other of the two branches of the Legislature.

The committee have found the Library to be quite meagre and imperfect—consisting, exclusive of surplus copies of our State laws and reports, and of the laws and journals of Congress and State Legislatures, of about 2,220 volumes of law books, and about 2,175 volumes of literary and miscellaneous works—and complaints are constantly made of its inadequacy to the public wants. This defect is due, in a great measure, to the failure of the Trustees to expend the appropriations made for its increase. The Auditor's report does not show that any part of the special appropriation of \$2,000, made by the act of March 5, 1846, was ever disbursed, and only \$182 84 of the regular appropriation for that year appears to have been expended. In 1851 only \$10 50 was expended, and in 1856 only \$20. In very few years has as much as one-half of the appropriation been used. The regular and special appropriations for 1857 amounted to \$2,500, and of

this sum only \$1,352 05 has been expended. In 1858 the expenditure was \$180 80, and in 1859 \$300 10, up to the date of the Auditor's report.

The law requires that the Trustees, on the expiration of the term of office of each Librarian, shall cause the books to be carefully counted, and an inventory made, and a copy thereof furnished to the incoming Librarian, and his receipt to be executed to the President of the Board for all the books, &c., then in the Library, and such receipt to be deposited with the Secretary of State. This duty was not discharged by the Trustees when the late Librarian came into office. That officer, however, made out a catalogue for his own protection, and deposited it with the Secretary of State. Nor was any attention paid, by the Trustees, to this requirement of the law, when the present incumbent came into office, on the first of January last.

The removal of the Library from its former inconvenient location to the rooms provided for it on the basement floor of the Capitol, under the act of Dec. 3, 1858, has been progressed with, but is not entirely completed. The work done is very satisfactory in style and arrangement, and the utility of the Library has already been greatly enlarged by the facilities now given of easy access to it. It will not be necessary at present that more than one of the rooms adjoining the principal apartment should be fitted up. The literary and miscellaneous works ought to be collected into this room, and the shelves in the main apartment reserved for the accommodation of the accessions hereafter to be made in the department of law. A comprehensive law library is essential to the disposal of the business in the Supreme Appellate tribunal of justice in a manner creditable to the Judges, or satisfactory to the people. To this should be added, from time to time, carefully selected and approved works, chiefly confined to the departments of politics, history and science. Subscriptions ought also to be made for some of the best periodicals and magazines, files of which should be preserved in the Library and bound as materials for a volume may accumulate.

With a view to secure, if possible, some better attention to the interest of the Library in the future. Your committee propose to reduce the number of Trustees to five, instead of eight, and to confide the entire control of the Library to those officers having an immediate interest in its condition. They also propose amendments to the existing law, which will have the effect to arrest entirely all expenditures of money on account of the Library, unless the Trustees shall give the subject their personal attention, and which will enable the Legislature to obtain hereafter, with less labor than your committee have incurred, satisfactory information in regard to its condition and prospects.

The committee herewith report,

A bill to be entitled,

An act to amend the tenth chapter of the Revised Code,
entitled,

An act in relation to the State Library,

And recommend its passage.

An act to amend the tenth chapter of the Revised Code,
entitled,

An act in relation to the State Library,

Was read three times under a suspension of the rule, and
passed,

The title thereof standing as stated.

Mr. Ellett, from the committee on the Judiciary, made the
following report,

Which was received and agreed to.

MR. PRESIDENT—

The committee on the Judiciary to whom was referred,

A House bill entitled,

An act to regulate the trial of slaves for capital offences,

Have had the same under consideration. and have instructed
me to report the same back, and recommend that it do pass.

A House bill to be entitled,

An act to regulate the trial of slaves for capital offences,

Which was read three times under a suspension of the rule, and
passed,

The title standing as stated.

Mr. Ellett, from the committee on the Judiciary, made the fol-
lowing report :

Which was received and agreed to.

MR. PRESIDENT—

The committee on the Judiciary to whom was referred,

A House bill entitled,

An act to amend an act establishing Circuit Courts, &c., so far
as it relates to the compensation of witnesses,

Have had the same under consideration, and have instructed
me to report the same back without amendment, and recommend
its passage.

The bill referred to in the report,

Was, under a suspension of the rules, read second and third
times and passed,

The title standing as stated.

Mr. Ellett, from the committee on the Judiciary, made the
following report,

Which was received and agreed to.

MR. PRESIDENT—

The committee on the Judiciary to whom was referred,

An act entitled,

An act to release to the heirs of Wm. H. Compton the interest of the State of Mississippi, in and to certain lands therein designated,

Have had the same under consideration, and have instructed me to report the same back and recommend its passage.

The bill referred to in the report,

Was read the second time,

And under a suspension of the rules the bill was read the second and third times, and passed,

The title standing as stated.

Mr. Ellett, from the committee on the Judiciary, made the following report :

Which was received and agreed to.

MR. PRESIDENT—

The committee on the Judiciary, to whom was referred,

A House bill entitled,

An act to authorize the proof of open accounts in certain cases,

Have had the same under consideration, and have instructed me to report the same back with an amendment, and to recommend its passage.

A House bill to be entitled,

An act to authorize the proof of open accounts in certain cases,

With an amendment,

Was read the second time, and

Under a suspension of the rules, read the third time, and passed,

The title standing as stated.

Mr. Ellett, from the committee on the Judiciary, made the following report,

Which was received and agreed to.

MR. PRESIDENT—

The committee on the Judiciary to whom was referred,

An act entitled,

An act to reduce the penalty of the bonds of Justices of the Peace and Constables, in the county of Hancock,

Have had the same under consideration, and have instructed me to report the same back and ask to be discharged from the further consideration thereof.

The bill referred to in the report,

Was, under a suspension of the rules, read the second and third times and passed,

The title standing as stated.

Mr. Thomson asked the unanimous consent of the Senate to suspend the morning business to introduce,

A bill to be entitled,

An act to aid in the construction of the Grenada, Houston and Eastern Railroad,

Which was read three times under a suspension of the rule and passed,

The title standing as stated.

Mr. McCord introduced,

A bill to be entitled,

An act to amend article 167, section 34, chapter 649, of the Revised Code,

Which was read the first time,

And under a further suspension of the rules read the second time,

And referred to the Judiciary committee.

Mr. McCord, from select committee made the following report :

Which was received and agreed to.

MR. PRESIDENT—

Your committee to whom was referred,

The petition of Pleasant Bearden and others in Justice's District No. 6, in the county of Tishomingo,

Beg leave to report the following bill and recommend its passage.

An act to prohibit the sale of vinous and spirituous liquors in Justice's Beat No. 6, in the county of Tishomingo,

Was read three times under a suspension of the rule and passed,

The title standing as stated.

Mr. Howry, from a select committee, made the following report,

Which was received and agreed to.

MR. PRESIDENT—

The select committee to whom was referred,

The bill to be entitled,

An act to amend the Constitution of the State of Mississippi,

Have had the same under consideration, and have instructed me to report the bill back to the Senate without amendment, and to recommend the passage of the same.

Pending the report,

The following message was received from the House of Representatives, through their Clerk, Mr. Brougher,

MR. PRESIDENT—

The House of Representatives has passed House bills entitled :

An act to provide for the payment of interest on State warrants in case of a deficit in the Treasury.

An act to provide for an increase of the Revenue of the State.

An act to authorize the Southern Railroad Company to change its alignment in the crossing of Pearl river, and to re-bridge the same.

An act providing for the publication of the proceedings of the Police Court of Lawrence county.

An act for the benefit of St. Mary's Orphan Asylum.

An act in relation to keepers of Livery Stables.

The following message was received from his Excellency the Governor, through his Private Secretary, Mr. Campbell,

EXECUTIVE OFFICE, }
City of Jackson, Miss., Feb. 7, 1860. }

MR. PRESIDENT—

The Governor did, on the 3d instant, sign and approve Senate bills entitled,

An act to incorporate the Holmes County Manufacturing Company.

Also on the 4th inst,

An act to incorporate the Shoboota Toll-Bridge Company, in the county of Clark.

An act authorizing certain fines and penalties to be paid to the Treasurer of the county of Hinds.

The bill under consideration was,

On motion of Mr. Buck,

Laid on the table.

The following message was received from the House of Representatives, through their Clerk, Mr. Brougher,

MR. PRESIDENT—

The House of Representatives has passed,

A bill entitled,

An act to extend the time for the completion of the New Orleans, Jackson and Great Northern Railroad, and for other purposes.

Mr. Ellett offered the following resolution:

Which was adopted.

Resolved, That from and after one o'clock on this day, no new business shall be introduced in the Senate during the present session, except by report from some committee already having a subject in charge.

Mr Talliaferro, from a select committee, made the following report,

Which was received and agreed to.

MR. PRESIDENT—

The select committee to whom was referred,

The bill to prevent the selling of spirituous and vinous liquors in the county of Panola,

Have had the same under consideration, and have instructed me to report the same back to the Senate, and recommend that it do not pass.

Mr. Harrison introduced,

A bill to be entitled,

An act to amend an act to provide for the payment of interest on the Chickasaw School Fund, and for other purposes, approved March 7th 1856,

Which was read three times under a suspension of the rule and passed,

The title standing as stated.

Mr. Quin introduced,

A bill to be entitled,

An act in relation to the swamp and overflowed lands in the county of Rankin,

Which under a suspension of the rules was read three times, and passed,

The title standing as stated.

Mr. Howry made the following report,

Which was received and agreed to.

MR. PRESIDENT—

The select committee to whom was referred,

The bill to change the time of holding the Circuit Court of Panola county and to limit the time for holding the said Court in Lafayette county,

Have had the same under consideration, and have instructed me to report the same back to the Senate, with an amendment, striking out the 2d article in said bill, and to recommend its passage as amended.

A bill to be entitled,

An act to limit the time for holding the Circuit Court in Lafayette county,

Under a suspension of the rules read three times, and passed,

The title thereof standing as stated.

Mr. Buchanan made the following report,

Which was received and agreed to:

MR. PRESIDENT—

The select committee to whom was referred,

A bill to be entitled,

An act to amend the various acts of corporation of the town of Coffeeville, in the county of Yallobush, and for other purposes,

Have had the same under consideration and have instructed me to report the same back to the Senate with an amendment, and recommend that the bill with the amendment do pass.

A bill to be entitled,

An act to amend the various acts of corporation of the town of Coffeerville, in the county of Yallobusha, and for other purposes,

With an amendment,

Was, under a suspension of the rules, read the second and third time and passed,

The title standing as stated.

Mr. West called up,

The special order,

An act to annex a part of Tallahatchie county to the county of Sunflower, and for other purposes,

Was, under a suspension of the rules, read the second and third times, and passed,

The title standing as stated.

Mr. Buck called up,

The special order,

An act to provide for the better securing of titles to lands held and claimed under tax sales and tax titles,

Was, under a suspension of the rules, read the second and third times and passed,

The title standing as stated.

Mr. McKrae called up,

The special order,

An act granting to R. W. James a charter for deepening the rivers and channels in the Gulf of Mexico within the jurisdiction of the State of Mississippi,

Which was read the second time,

Mr. McKrae offered the following amendments :

Section 1, line 16, after the word tide, as follows,

To the width of two hundred feet.

Section 1 line 9, by striking out after the word obstructed all between the words any natural channel.

Amend by inserting after the word act in sec. 3, line 8, otherwise it.

The previous question being called and sustained,

The yeas and nays were called for upon the passage of the bill :

YEAS—Mr. President. Messrs. Brasier, Buchanan, Covington, Ellett, Enloe, Harrison, Harris, Huie, McLain, Mason, McCord, McKrae, Oliver, Quin, Rankin, Simonton, Thomson, Thames, Talliaferro and Wil on.—21.

NAYS—Messrs. Davis, Neill, Starke and West.—4.

The bill was therefore passed.

Mr. Simonton presented the petition of Bellard Tilmore,
Which was referred to the committee on the petition of Wesley Moore.

Mr. Thomson introduced a bill.

Mr. Starke introduced a bill.

On motion of Mr. Mason,

The Senate adjourned till 3 o'clock this evening.

THREE O'CLOCK P. M.

The Senate met pursuant to adjournment.

Mr. Enloe called up,

Governor's message sent in this morning.

When on his motion,

The Senate resolved itself into Executive session.

The Executive session being dissolved,

Mr. Enloe moved,

That the documents accompanying said message be
Referred to the Library committee.

The special orders were taken up,

A bill to be entitled,

An act more effectually to prevent hawking and peddling by non-residents in this State,

Which, under a suspension of the rules, was read the second and third times and passed,

The title standing as stated.

An act to amend an act entitled,

An act to authorize a compilation of the Criminal Law, approved Feb. 21st, 1854,

Was, on motion of Mr. Neill,

Indefinitely postponed.

House messages were taken up,

A bill to be entitled,

An act to incorporate the Holly Springs Life and General Insurance Company,

Was taken up,

When Mr. Mason moved,

That the Senate concur in all the amendments by the House, except inserting in the 1st section, after the word "borrowing," in the 10th line, money for the purposes only of paying losses incurred upon policies issued,

Which was agreed to.

Mr. Mason moved,

That a committee of conference be appointed to confer with a similar on the part of the House.

The President appointed as said committee,
Messrs. Mason, Simonton and McLain.

A bill to be entitled,

An act to transfer certain collections in Natural History therein named,

With House amendments,

In which the Senate concurred.

A bill to be entitled,

An act to amend an act to incorporate the Merchants' and Planters' Insurance Company of the city of Enterprise, approved Dec. 3d, 1858,

With House amendments,

In which Mr. McLain moved,

The Senate do not concur.

When it was referred to,

Messrs. Mason, Simonton and McLain.

Mr. Davis, Chairman of the committee on Enrolled Bills, offered the following report:

Which was received and agreed to.

MR. PRESIDENT—

The committee on Enrolled Bills would report that they have examined the following bills,

An act in relation to the Circuit and Chancery Courts of Lawrence county.

An act to incorporate the Columbus and Tennessee Valley Railroad Company,

And would report that they find the same correctly enrolled.

A House bill to be entitled,

An act to provide for the sale of swamp lands in Wilkinson county,

Was read three times under a suspension of the rule and passed,

The title standing as stated.

Mr. Oliver, from the joint standing committee on Penitentiary, made the following report,

Which was received and agreed to.

MR. PRESIDENT—

The joint standing committee on the Penitentiary to whom was referred,

A resolution of the Senate instructing them to enquire into the expediency of separating the fiscal from the executive department of the Institution,

Have had the same under consideration, and have instructed me to report the following bill and recommend its passage.

An act to provide for the sale of goods, wares and merchandise, manufactured in the Mississippi Penitentiary,

Which under a suspension of the rules was read three times and passed,

And the title amended by adding "and for other purpose."

Resolutions concerning Fair Grounds, were,

On motion of Mr. Oliver,

Laid on the table.

A bill to be entitled,

An act to provide additional compensation to the Clerk of the Police Court of Yallobusha county,

Was under a suspension of the rules read a three times, and passed,

The title remaining as stated.

An act to incorporate the Trustees of the Yazoo Educational Association, in Yazoo county,

Was read three times under a suspension of the rule, and passed,

The title standing as stated.

A bill to be entitled,

An act to amend an act entitled an act to incorporate the town of Oakland in Yallobusha county, approved February 28th, A. D. 1848,

Was read three times under a suspension of the rule, and passed,

The title standing as stated.

A bill to be entitled,

An act to incorporate the town of Bahala, in Copiah county, and for other purposes,

Was read three times under a suspension of the rule, and passed,

The title standing as stated.

A bill to be entitled,

An act to grant Lorenzo R. Stewart, late Sheriff of Yallobusha county, additional time for the payment of the sum due by him to the State,

Which was read three times under a suspension of the rule, and passed,

The title standing as stated.

A bill to be entitled,

An act in relation to schools and school lands in township 17, Range 5 east, in Warren county,

Was read three times under a suspension of the rule and passed,

The title standing as stated.

Mr. Howry moved,

A reconsideration of the vote on the bill for the relief of Lorenzo R. Stuart,

Which was agreed to.

A bill to be entitled,

An act for the relief of William Robinson, a free man of color,

Was referred to the committee on the petition of Wesley Moore.

An act for the relief of purchasers of sixteenth sections of land in Jasper and Franklin counties,

Was read three times under a suspension of the rule, and passed,

The title standing as stated.

An act for the relief of William Gallaher, J. J. Gallaher, C. D. Key, David Gallaher and Robert Davenport,

Was read three times under a suspension of the rule and passed,

The title standing as stated.

Mr. Howry offered an amendment to the bill in relation to Lorenzo R. Stewart,

Which was adopted,

And the bill read the third time and passed,

The title standing as stated.

An act to amend an act entitled an act to provide for an additional Justice of the Peace in the town of Ripley, in Tippah county,

Was read three times under a suspension of the rule, and passed,

The title standing as stated.

A bill to be entitled,

An act to authorize Mary Ann McAllister, wife of John B. McAllister, of Tippah county, to act as a *femme sole*.

Was read the first time, and under a suspension of the rules, read the second time,

And indefinitely postponed.

An act in relation to practice in the Circuit Court of Panola county,

Was read the first time, and under a suspension of the rule, read the second time, and

Referred to a select committee of three.

The President appointed as said committee,

Messrs. Wilson, Oliver and Mason.

A bill to be entitled,

An act to charter a Turnpike across Hell Creek swamp, in Tippah county, Mississippi,

Was, under a suspension of the rules, read three times and passed,

The title thereof standing as stated.

A bill entitled,

An act for the relief of Elizabeth Archie and her children Sa-

rab, Jesse, Moses and Margaret, and Ann Archie, and her child Julia, all free persons of color,

Was referred to the committee on the petition of Wesley Moore.

An act to amend an act entitled an act to enlarge the time of holding the Circuit Court of Madison county, approved 10th November, 1858,

Was amended,

And under a suspension of the rules, read three times and passed,

The title standing as stated.

A bill to be entitled,

An act to incorporate Willard Male and Female Academies at the village of Flewellin's Cross Roads, in DeSoto county, Mississippi,

Was, under a suspension of the rules, read three times and passed,

The title standing as stated.

Mr. Davis, from the committee on Enrolled Bills, made the following report,

Which was received and agreed to.

MR. PRESIDENT—

The committee on Enrolled bills have examined the following bills,

An act entitled,

An act to provide for the transfer of the stock of the State of Mississippi in the New Orleans, Jackson and Great Northern Railroad, the Mississippi Central Railroad, and the Mobile and Ohio Railroad, to the Gulf and Ship Island Railroad Company.

An act to confer upon the Probate Court of Simpson county jurisdiction over the estate of Robert Slater, deceased.

An act for the benefit of Franklin Academy, in the town of Columbus,

And would report that they find the same correctly enrolled.

Mr. Ellett, from the select committee, made the following report,

Which was received and agreed to:

MR. PRESIDENT—

The select committee to whom was referred,

A House bill to be entitled,

An act further to regulate the Militia and Volunteer system,

Have had the same under consideration and have instructed me to report the same back, with sundry amendments, and to recommend the adoption of the amendments, and the passage of the bill as amended.

An act further to regulate the Militia and Volunteer system,

With amendments proposed by the committee,

Was, under a suspension of the rules, read the second and third times and passed,

The title standing as stated.

A bill to be entitled,

An act to prohibit the sale of vinous and spirituous liquors in the town of Cockrum, in DeSoto county, and the vicinity thereof,

Was, under a suspension of the rules, read three times and passed,

The title standing as stated.

An act to authorize the Board of Police of Covington county to reduce the price of swamp and overflowed land in said county,

Was read the first time, and under a suspension of the rules, read the second time, and

Amended by Mr. Rankin, by inserting the word "cash," after acre,

When the bill was read the third time and passed,

The title standing as stated.

A bill to be entitled,

An act to submit to the voters of Issaquena county the question whether the county site shall be removed from its present location on the Mississippi river to some point on Deer Creek,

Was, under a suspension of the rules, read three times and passed,

The title standing as stated.

An act to loan at interest the fund arising from the sale of submerged lands in Choctaw county,

Was, under a suspension of the rules, read the first and second times,

When Mr. Drane offered an amendment by way of an additional section.

Which was adopted,

And the bill read the third time and passed,

The title standing as stated.

On motion of Mr. Harrison,

The Senate adjourned until seven o'clock P. M.

SEVEN O'CLOCK P. M.

The Senate met pursuant to adjournment,

And resumed the consideration of the regular orders,

A House bill to be entitled,

An act to incorporate the town of Huntsville, and for other purposes,

Was read twice under a suspension of the rules.

Mr. Drane offered an amendment by way of substitute,
Which was adopted.

Mr. Drane offered to amend the title so as to make it read,
A bill to be entitled,

An act to amend an act, approved Feb. 5, 1856, to incorporate
the town of Huntsville, in Choctaw county, and for other
purposes,

Which was adopted.

The rule was further suspended, the bill read third time and
passed as amended.

A House bill to be entitled,

An act to incorporate the town of Vaiden, in the county of Car-
roll,

Was read three times under a suspension of the rules, and
passed,

The title standing as stated.

A House bill to be entitled,

An act to regulate the compensation of the Probate Clerk in
Carroll county, in certain cases,

Was read twice under a suspension of the rule.

Mr. Neill offered to amend by inserting after the word "dollars,"
"not more than one hundred,"

Which was adopted.

The rule was further suspended, the bill read third time and
passed as amended,

The title standing as stated.

The following message was received from the House of Rep-
resentatives, through their Clerk, Mr. Brougher,

Mr. PRESIDENT—

The House of Representatives has concurred in the Senate
amendments to House bills entitled,

An act to authorize the proof of open accounts in certain
cases.

An act for the benefit of the Probate Judges of Hinds, and
other counties.

An act to incorporate the town of Meadville, in Franklin
county.

And has concurred in the Senate resolution requesting the
reconsideration of the vote by which the House concurred in the
resolutions of the Senate appointing a commissioner to examine
into the Seminary Fund.

And has adopted a resolution requesting the return to the House
of the resolution in relation to per diem and mileage of members
during the recess.

And resolutions in relation to our Representatives in Congress.

And has concurred in the Senate amendments to the House
resolution.

An act to authorize the Board of Police of Tippah county to invest the three per cent. fund due said county in the Ripley Railroad.

An act to declare Silver Creek, in Yazoo county, a navigable stream, and for other purposes.

And has concurred in the Senate resolution authorizing the Governor to have mounted the cannon in front of the Capitol.

And has passed Senate bills entitled,

An act to compel the attendance of witnesses before the Grand Jury, and for other purposes.

An act to amend article No. 40 of the attachment law of this State.

An act to increase the pay of Jurors.

An act to authorize the establishment of private burying grounds.

And has concurred in the joint resolution granting leave of absence to Hon. Thos. J. Wharton.

Mr. Ellett offered the following resolution :

Which was adopted.

Resolved, That the Secretary be instructed to return to the House of Representatives, the joint resolution relating to the pay and mileage of members of the Legislature, as requested by the House.

Mr. Harrison introduced,

A resolution declaring that no Senator should speak longer than ten minutes upon any one question,

Which was withdrawn.

A House bill to be entitled,

An act to amend an act entitled an act to amend an act to amend the charter of the city of Jackson,

Was read three times under a suspension of the rules, and passed,

The title standing as stated.

A House bill to be entitled,

An act for the relief of James K. Morton, a minor, of the county of Coahoma, and others,

Was read twice, and

On motion of Mr. Ellett,

Indefinitely postponed.

A House bill to be entitled,

An act to incorporate the Masonic Female Seminary in the county of Marshall,

Was under a suspension of the rules read a three times, and passed,

The title remaining as stated.

A House bill to be entitled,

An act to incorporate the town of Senatobia, in the county of DeSoto,

Was read twice.

Mr. Simonton offered the following amendment,

After the word "license," insert, "subject to the provision in article three of chapter twenty of the Revised Code,"

Which was adopted.

Mr. Oliver offered the following amendment,

Provided, Said Mayor and Aldermen shall not be allowed by this act to grant licence to retail vinous and spirituous liquors, or license to billiard tables for public play,

Which was adopted.

The Senate reconsidered the vote upon Mr. Simonton's amendment,

When it was withdrawn.

The bill was then read the third time and passed as amended,

The title standing as stated.

A House bill to be entitled,

An act to prevent the sale of vinous and spirituous liquors in the town of Danville, in Tishomingo county,

Was read three times under a suspension of the rule, and passed,

The title standing as stated.

A House bill to be entitled,

An act to change the hour at which the polls of elections shall be closed,

Was read once.

Mr. Thomson moved,

That the bill be rejected.

The yeas and nays were called for upon the adoption of this motion,

With the following result :

YEAS—Messrs. Buck, Brasier, Davis, Ellett, Enloe, McLain, Mason, McCord, Oliver, Quin, Starke and Thomson.—12.

NAYS—Mr. President. Messrs. Buchanan, Covington, Harrison, Howry, Neill, Rankin, Simonton, Thames, West and Wilson.—11.

The bill was therefore rejected:

A House bill to be entitled,

An act to remove the legal disabilities of Emily Hearn,

Was read three times under a suspension of the rule,

A division was called for upon the passage of the bill, and decided in the affirmative.

The bill passed,

The title standing as stated.

A House bill to be entitled,

An act to amend article 21, section 4, chapter 15, of the Revised Code, in relation to collecting fines of defaulting road hands,

Was read three times under a suspension of the rule and passed,

The title standing as stated.

A House bill to be entitled,

An act for the punishment of slaves in certain cases,

Was read and rejected.

A House bill to be entitled,

An act to amend the 3d section of the 14th article of chapter 36 of the Revised Code, in relation to satisfying mortgages and deeds of trust,

Was read twice under a suspension of the rule, and

Referred to the Judiciary committee.

A House bill entitled,

An act to increase the fee for apprehending runaway slaves in the counties of Tunica, Coahoma, Bolivar, Washington and Issaquena,

Was read three times under a suspension of the rule, and passed,

The title standing as stated.

Mr. Wilson moved,

A reconsideration of the vote taken upon the bill providing for the punishment of slaves in certain cases,

Which motion was lost.

A House bill to be entitled,

An act for the relief of William K. Posey and John Y. Leatherwood, in the county of Chickasaw,

Which was read three times under a suspension of the rule, and passed,

The title standing as stated.

A House bill to be entitled,

An act to incorporate the Mobile, Memphis and St. Louis Railroad Company,

Was read twice.

Mr. McLain offered the following amendment:

In first section, page 2d, strike out "Meridian," and insert in lieu thereof, "some eligible point upon the Mobile and Ohio Railroad, South of Lauderdale Station on said road, which may hereafter be fixed upon by the Directors.

On motion of Mr. Harrison,

The bill was referred to a select committee of three.

The President appointed as said committee,

Messrs. Harrison, Thames and McLain.

On motion of Mr. Harrison,

The Senate adjourned until to-morrow morning 9 o'clock.

WEDNESDAY, Feb. 8, 1860.

The Senate met pursuant to adjournment,
The roll was called,
And the Journal of yesterday was read and approved.
The following message was received from the House of Representatives, through their Clerk, Mr. Brougher,

MR. PRESIDENT—

The House of Representatives has passed the following entitled bills :

An act to protect the county of Sunflower against cattle not the property of residents or land owners in the same.

An act to authorize the assessment and collection of a tax on the lands in Sunflower county for the purpose of making roads and bridges.

An act to authorize R. C. Moore, Guardian of the persons and property of Sophia M. Moore, and Mary S. Sims, to sell certain lands therein named.

And has passed,

The Senate bill entitled,

An act to provide for the support of the Institution for the instruction of the Deaf and Dumb,

And has concurred in the Senate amendment to the House bill, entitled,

An act further to regulate the militia and volunteer system.

Mr. McLain presented the petition of the citizens of Clark county.

Which was

Referred to the committee on the Judiciary.

Mr. Quin asked and obtained leave to call up,

A memorial of the State of Mississippi to the Congress of the United States, praying the cession of certain public lands to aid in the construction of the Gulf and Ship Island Railroad;

Which was read the second time,

When Mr. Quin moved,

To fill up the blank with the words "five hundred thousand," and the memorial was read the third time, and passed

Mr. Buck presented the petition of sundry citizens of Sunflower county,

And moved its reference to the committee on Propositions and Grievances.

Mr. Buchanan from the committee on Propositions and Grievances, made the following report,

MR. PRESIDENT—

The committee on Propositions and Grievances to whom was referred,

The claim of Samuel J. Jennings, former Sheriff of Attala
Have had the same under consideration, and have instructed
me to report the same back, and to ask to be discharged from
the further consideration of the subject.

On motion of Mr. Huie,

The claim was re-committed to the committee on Claims.

Mr. Ellett made the following report,

Which was received and agreed to :

MR. PRESIDENT—

The committee on the State Library to whom was referred,

A message from his Excellency the Governor, transmitting a
communication from the officers and Library Committee of the
American Association in London, and also a letter from the Hon.
G. M. Dallas, American Minister at the Court of St. James,

Have had the same under consideration, and have instructed
me to report the following resolutions, and to recommend its pas-
sage.

A resolution to present the American Association in London a
copy of the Revised Code of Mississippi,

Which, under a suspension of the rules, was read three
times, and passed,

Mr. Ellett, from the committee on the Judiciary, made the fol-
lowing report :

Which was received and agreed to.

MR. PRESIDENT—

The committee on the Judiciary, to whom was referred,

A House bill entitled,

An act to constitute the injuring or killing of animals a misde-
meanor in certain cases,

Have had the same under consideration, and have instructed me
to report the same back to the Senate, and to recommend that
said bill do not pass.

Mr. Ellett, from the committee on the Judiciary, made the
following report,

Which was received and agreed to.

MR. PRESIDENT—

The committee on the Judiciary to whom was referred,

House bill entitled,

An act to authorize the substitution of pleadings, and for other
purposes,

Have had the same under consideration, and have instructed me
to report the same back, and to recommend that it do not pass.

Mr. Ellett, from the committee on the Judiciary, made the
following report,

Which was received and agreed to.

MR. PRESIDENT—

The committee on the Judiciary to whom was referred,
A bill entitled,

An act to repeal the 1st section of the 35th chapter of the Revised Code, and to remove all doubts as to the legality of all corporations created or attempted to be created under its provisions,

Have had the same under consideration, and would report the same back, and to recommend that the said bill do not pass.

Mr. Ellett, from the committee on the Judiciary, made the following report,

Which was received and agreed to.

MR. PRESIDENT—

The committee on the Judiciary to whom was referred,

An act entitled,

An act to amend an act to prevent the commission of certain trespasses—chapter 18 of Revised Code,

Have had the same under consideration, and have intructed me to report the same back, and to recommend that the same do not pass.

Mr. Ellett, from the committee on the Judiciary, made the following report :

Which was received and agreed to.

MR. PRESIDENT—

The committee on the Judiciary to whom was referred,

An act entitled,

An act to require and regulate the granting of license to itinerant traders, salesmen, and traveling agents and vendors of books, maps, patent rights, and patent medicines, by subscription, specimen or otherwise,

Have had the same under consideration, and have instructed me to report the same back, and ask to be discharged from the further consideration of the subject.

Mr. Covington from the joint standing committee upon the Lunatic Asylum, made the following report,

Which was received and agreed to.

MR. PRESIDENT—

The joint standing committee upon the Lunatic Asylum have instructed me to report the following bill for the support of said institution for the present and succeeding fiscal years, which fiscal years begin, by the provisions of the bill on the 1st days of November 1859 and 1860.

A bill to be entitled,

An act to make appropriations for the support of the Mississippi State Lunatic Asylum,

Which, under a suspension of the rules, was read the first and second times,

When Mr. Ellet offered an amendment, by way of an additional section, and

Mr. Enloe moved,

To amend the amendment,

All of which were,

Referred to a select committee of three.

On motion of Mr. Ellett,

The President appointed as said committee,

Messrs. Ellett, Neill and West.

The following message was received from the House of Representatives, through their Clerk, Mr. Brougher,

MR. PRESIDENT:—

The House of Representatives has passed the following entitled bills :

An act to provide for the payment of the indebtedness of certain counties of the Mississippi River Levee District.

An act for the relief of Jim Nall, a free man of color.

An act to confirm the titles to certain lands in the county of Jones.

And has passed the Senate bill entitled,

An act to grant a charter to Robert James for deepening the coast channels of the Gulf of Mexico within the jurisdiction of the State of Mississippi,

On motion of Mr. Harrison,

The Senate adjourned until three o'clock this evening,

THREE O'CLOCK P. M.

The Senate met pursuant to adjournment,

Mr. Davis from the committee on Enrolled Bills, made the following report,

MR. PRESIDENT—

The committee on Enrolled Bills have examined,

An act to prohibit the sale of vinous and spirituous liquors in township 21, of range 4 east, in the county of Carroll.

An act to extend the provisions of an act for the relief of the State University, approved March 6th, 1856, to the University of Mississippi for two years after 6th March next, and for other purposes.

An act for the better securing the purchasers of swamp land in Harrison county titles to the same,

An act to incorporate the town of Athens, in the county of Monroe.

An act to incorporate the Aberdeen Masonic High School,

An act to incorporate the Leake County Railroad Company.

And have found the same correctly Enrolled.

Mr. Ellett, from a select committee, made the following report,

Which was received and agreed to :

MR. PRESIDENT—

The select committee to whom was referred,

An act entitled,

An act to make appropriations for the support of the Mississippi State Lunatic Asylum,

With amendments pending thereto,

Have had the same under consideration, and have instructed me to report the same back with an amendment as a substitute for the pending amendment, and to recommend the adoption thereof, and the passage of the bill as amended.

An act to make appropriations for the support of the Mississippi State Lunatic Asylum,

With amendment,

Which was adopted,

Amend by adding the following additional section after section 4.

SEC. 5. *Be it further enacted*, That the sum of five thousand dollars be, and the same is hereby appropriated for the necessary repairs of the Asylum to be drawn on the warrant of the Auditor issued on the requisition of the Board of Supervisors; and that a further sum not exceeding fifty thousand dollars be, and the same is hereby appropriated for the erection and completion of a new wing at the eastern end of the Asylum, corresponding in style with the plan of the present building; the said extension to be made and the money expended by and under the direction and control of the Board of Supervisors and the Governor of the State; the money to be drawn on the warrant of the Auditor, issued on requisition of the Supervisors and the Governor, in sums required to meet estimates as they may accrue, provided that not more than one-half of the sum hereby appropriated shall be paid out of the treasury in the year 1861, and the other half in the year 1862; and

that no contract shall be made exceeding the amount hereby appropriated.

Mr. McLain moved,

To re-consider the vote by which the amendment was adopted.
Upon which the yeas and nays called.

YEAS—Messrs. Brasier, Buchanan, Davis, Harrison, Howry, McLain, McCord, Neill, Oliver, Simonton, Thomson, Thames, Talliaferro and Wilson—14.

NAYS—Mr. President, Messrs. Buck, Covington, Ellett, Enloe, Huie, Mims, Mason, McRae, Starke and West—11.

The motion to reconsider was therefore carried.

Mr. Harrison offered the following amendment to the amendment:

Amend by striking out \$50,000 and inserting \$25,000,
When Mr. Starke called for the previous question,
Upon which the yeas and nays were called.

YEAS—Messrs. Brasier, Harrison, McCord, Oliver, Thomson, Talliaferro and Wilson.—7.

NAYS—Mr. President, Messrs. Buck, Buchanan, Covington, Davis, Ellett, Enloe, Howry, Huie, McLain, Mims, Mason, McRae, Neill, Starke, Simonton, Thames and West—18.

The amendment was lost.

When, under a further suspension of the rules was read the third time, and passed,

The title standing as stated.

Mr. Davis, from the committee on Enrolled Bills, made the following report:

MR. PRESIDENT :—

The committee on Enrolled Bills,

Have examined a resolution granting leave of absence not to exceed three months in each year, to the Hon. Thos J. Wharton, for the years 1860 and 1861.

An act to provide for the support of the Institution for the Instruction of the Deaf and Dumb.

An act to compel the attendance of witnesses before the Grand Jury, and for other purposes.

An act to increase the pay of jurors,

An act to amend article No. 40 of the attachment law of this State.

An act to authorize the establishment of private burying grounds.

And a resolution authorizing the Governor to cause the census

presented to the State of Mississippi by the late Gen. J. A. Quitman, now in front of the Capitol, to be conveyed to the Penitentiary, &c.

And would report that they find the same correctly enrolled.

The following message was received from the House of Representatives, through their Clerk, Mr. Brougher :

MR. PRESIDENT—

The House of Representatives has passed a Senate bill entitled,

An act to prosecute the Geological Survey of the State of Mississippi, and for other purposes.

And has concurred in the Senate amendment to the House bills entitled,

An act to grant Lorenzo R. Stewart, late Sheriff of Yallobusha county, additional time for the payment of the sum due by him to the State.

An act to amend the various acts of corporation of the town of Coffeeville, in the county of Yallobusha, and for other purposes,

Mr. Starke asked and obtained leave to call up,

An act to provide for the payment of the indebtedness of certain counties of the Mississippi Levee District,

Which was read the first and second time,

Mr. Starke moved,

That the Senate Strike out the proviso to the first section.

Which was adopted.

Mr. Howry offered the following amendment :

Be it further enacted, That the twenty-first section of the act offered 2d December, 1858, entitled an act to aid in repairing and perfecting the levee of the Mississippi river in the counties of DeSoto, Tunica, Calhoun, Bolivar, Washington and Issaquena be, and the same is hereby repealed.

Which was lost.

The rule was further suspended; the bill read a third time and passed,

The title standing as stated.

Mr. Buck called up,

A bill to be entitled,

An act to authorize the Southern Railroad Company to change its alignment on the crossing of Pearl river, and to re-bridge the same,

Was, under a suspension of the rules, read three times, and passed,

The title thereof standing as stated.

Mr. Harrison called up,

A bill to be entitled,

An act to extend the time for the completion of the New Orleans, Jackson and Great Northern Railroad, and for other purposes,

Which under a suspension of the rules was read three times, and passed,

The title thereof standing as stated.

Mr. Neill offered the following resolution :

Which was adopted,

Resolved, By the Senate, That the committee on State and Federal Relations be discharged from the further consideration of the following named bills, to-wit :

Resolutions in relation to the Pacific Railroad.

An act to encourage direct trade and promote Southern independence.

A resolution in relation to the Patrol duties.

Resolutions in relation to invasions and insurrections.

Mr. Davis, from the committee on Enrolled Bills, made the following report,

Which was received and agreed to.

MR. PRESIDENT :—

The committee on Enrolled Bills,

Would report that they have examined,

A bill entitled,

An act to transfer certain collections in Natural History therein named.

And that they find the same correctly enrolled.

Mr. Neill asked and obtained leave to call up,

The majority and minority reports on the Planters' Bank Bonds, and,

On motion of Mr. McLain,

The minority report was laid on the table.

Upon which the yeas and nays were called.

YEAS—Mr. President, Messrs. Brasier, Covington, Enloe, Harrison, Harris, Howry, McLain, Mims, McCord, McRae, Oliver, Quin, Rankin, Thames, Talliaferro and Wilson—17.

NAYS—Messrs. Buck, Davis, Ellett, Mason, Neill, Starke and West—7.

Mr. West offered the following amendment :

Add to the end of the 3d line in the majority report, the following words :

“We do not deny the liability of the State for the payment of said bonds, but that”

Mr. Oliver moved,

To lay the amendment on the table.

Upon which the yeas and nays were called.

YEAS—M. President, Messrs. Braiser, Covington, Enloe, Harris, Howry, McLain, Mims, McCord, McRae, Oliver, Rankin, Thames, Talliaferro and Wilson—15.

NAYS—Messrs. Buck, Davis, Ellett, Harrison, Mason, Neill, Quin, Starke and West—9.

The amendment was therefore laid on the table.

On motion of Mr. Ellett,

The majority report was laid on the table.

On motion of Mr. Buck,

The Senate adjourned until 7 1/2 oclock P. M.

SEVEN AND A HALF O'CLOCK P. M.

The Senate met pursuant to adjournment,

Mr. Buck, from a select committee made the following report,

Which was received and agreed to.

MR. PRESIDENT—

The select committee to whom was referred,

A bill to be entitled,

An act to amend the road laws of Washington county,

Have had the same under consideration, and have instructed me to report the same back, with amendments, and to recommend its passage as amended.

A bill to be entitled,

An act to amend the road laws of Washington county,

With amendments thereto.

Which were adopted.

When, under a further suspension of the rules, the bill was read the second and third times, and passed,

The title standing as stated.

Mr. Starke, from the committee on Public buildings, made the following report,

Which was received and agreed to.

MR. PRESIDENT—

The committee on Public Buildings beg leave to report a bill to remove old buildings and other nuisances from the public grounds, and recommend its passage.

An act to provide for the removal of old buildings and nuisances from the public grounds, and for other purposes,

Was, under a suspension of the rules read three times, and passed,

The title standing as stated.

Mr. Davis, from the committee on Enrolled Bills, made the following report:

MR. PRESIDENT—

The committee on Enrolled bills have examined,
A bill entitled,

An act, granting to Robert W. James a charter for deepening the channels in the Gulf of Mexico, within the jurisdiction of the State of Mississippi,

And would report the same correctly enrolled.

Mr. Oliver asked and obtained leave to call up,

A bill to be entitled,

An act to exempt from execution and sale slaves, in case the plaintiff, or the person for whose use the money is sought to be collected, denies the right of property in slaves.

Which was read the second time, when

Mr. McLain moved,

To lay the bill on the table.

Upon which the yeas and nays were called.

YEAS—Messrs. Buck, Ellett, Howry, McLain, Mason, McCord, Rapkin, Starke, West and Wilson—10.

NAYS—Messrs. Brasier, Covington, Enloe, Harrison, Harris, Huie, Oliver, Quin, Thames and Thomson—10.

The motion to lay on the table was therefore lost.

Mr. Howry moved,

To Make the bill the special order for to-morrow 10 o'clock.

Mr. Harrison made the following report,

Which was received and agreed to.

MR. PRESIDENT—

The select committee to whom was referred,

A bill entitled,

An act to incorporate the Mobile, Memphis and St. Louis Railroad Company,

Have had the same under consideration, and have instructed me to report the same back to the Senate, with an amendment, and recommend that it do pass as amended.

The following message was received from the House of Representatives, through their Clerk, Mr. Brougher,

MR. PRESIDENT—

The House of Representatives has concurred in the Senate amendments to the following House bills:

An act to enlarge the time of holding the Circuit Court of Madison county, approved 10th November, 1858.

An act to loan at interest the fund arising from the sale of submerged lands in Choctaw county.

An act to incorporate the town of Senatobia, in the county of DeSoto.

An act to regulate the compensation of the Probate Clerk in Carroll county, in certain cases.

An act to incorporate the town of Huntsville, and for other purposes.

An act to authorize the Board of Police of Covington county to reduce the price of swamp and overflowed lands in said county.

And has disagreed to the Senate amendment to the House bill entitled,

An act to provide for the payment of the indebtedness of certain counties in the Mississippi river Levee District.

And has passed a House bill entitled,

An act to incorporate the Jackson Gas Light Company.

And the House has receded from its amendments to the Senate resolutions on Federal Relations which were not concurred in by the Senate.

And has passed a Senate bill entitled,

An act to empower the Inspectors of the Mississippi Penitentiary to contract for and purchase a certain lot of land therein described.

And has adopted a joint resolution in relation to mileage of Senators and Representatives in attendance on this adjourned session,

In which the concurrence of the Senate is desired.

And has acceded to the request of the Senate for a committee of conference in relation to the disagreeing votes of the two Houses on the Senate bills entitled,

An act to incorporate the Holly Springs Life and General Insurance Company.

An act to amend an act to incorporate the Merchants and Planters Insurance Company of the city of Enterprise, approved December 3d, 1858.

The Speaker has appointed as said committee on the part of the House,

Messrs. Lake, Pinson, Barksdale, Wilson and Culbertson.

The bill in relation to the Mobile, Memphis and St. Louis Railroad Company,

With an amendment,

Which was adopted.

Was, under a suspension of the rules, read the second and third times, and passed,

The title standing as stated.

The orders of the day were taken up.

A bill to be entitled,

An act to regulate the common schools and school funds in the county of Wayne,

Was, under a suspension of the rules, read three times, and passed,

The title standing as stated.

An act to incorporate the Natchez Hotel Company.

Was, under a suspension of the rules, read three times, and passed,

The title standing as stated.

A bill to be entitled,

An act to enable James Porterfield, son of Wm. P. Porterfield, to sell and convey a lot of ground in the city of Vicksburg.

Was, under a suspension of the rules, read three times, and passed,

The title standing as stated.

A bill for the relief of Malinda and her children; Bettie, and others,

Was referred to the committee on the petition of Wesley Moore.

A bill to be entitled,

An act for the relief of J. V. Miller, of Lafayette county.

Was, under a suspension of the rules, read three times, and passed,

The title thereof standing as stated.

A bill to be entitled,

An act to appoint public weighers, and for other purposes,

Which, under a suspension of the rules, read the first and second times,

When Mr. Howry offered an amendment.

Mr. McCord moved,

Its reference to a select committee of three.

The President appointed as said committee,

Messrs. McCord, Buck and McLain.

The following message was received from the House of Representatives, through their Clerk, Mr. Brougher :

MR. PRESIDENT—

The House of Representatives has passed the following entitled Senate bills;

An act to incorporate Fire Engine Company No. 1, of the city of Vicksburg.

An act to authorize ——— McKenzie to receive from the proper authority, license to practice law in any of the Courts of this State.

An act to ratify sales of section 16, township 2, range 14, in the county of Clarke.

Resolutions accepting the portraits of David Holmes and Thos. H. Williams, presented by James S. Johnston, of Jefferson county.

An act to amend the law relative to paupers,

A bill to be entitled,

An act to amend chapter 62, article 90, of the Revised Code, in relation to taking depositions in the Chancery Courts of this State.

Which under a suspension of the rules was read the first and second times, and

Referred to the Judiciary committee.

A bill for the relief of Benj. D. Chase,

Was read three times under a suspension of the rules, and passed,

The title standing as stated.

A bill to be entitled,

An act to repeal articles 151 and 157, of section 32, chapter 64 of the Revised Code, of Mississippi,

Which, under a suspension of the rules, was read the first and second times, and,

Laid on the table.

A bill to be entitled,

An act for the relief of William Jackson, a free man of color.

Which was referred to the committee on the petition of Wesley Moore.

An act for the relief of Albert W. Dearborn.

Was rejected;

An act to authorize and require the Board of Police of Choctaw county to hold an election in certain townships in said county, for the purposes expressed in this act,

With amendments,

Which were concurred in.

House resolution in relation to members of the Legislature receiving mileage for their attendance on this adjourned session.

After much discussion,

Was under a suspension of the rules read three times, and,

Upon its passage the yeas and nays were called.

YEAS—Messrs. Buck, Brasier, Covington, Howry, Mims, McRae, Oliver, Rankin, Starke and Thames—10.

NAYS—Mr. President, Messrs. Davis, Ellett, Enloe, Harrison, Harris, McLain, Mason, Neill, Quin, Thomson, West and Wilson—13.

The resolution was therefore lost.

On motion of Mr. Ellett,

The Senate adjourned until to morrow morning at 9 o'clock.

THURSDAY, Feb. 9, 1860.

The Senate met pursuant to adjournment.

The roll was called, and

The Journal of yesterday was read, and approved.

The following message was received from the House of Representatives, through their Clerk, Mr. Brougher,

MR. PRESIDENT—

The House of Representatives has passed,

With an amendment,

A Senate bill entitled,

An act to appropriate \$10,000 to the repair and improvement of the public buildings and grounds.

And has passed,

A House bill to be entitled,

An act to incorporate the Warren county Agricultural Society.

Mr. Harrison offered the following resolutions,

Which were adopted.

Resolved, By the Senate, (the House concurring,) That in the event of a failure to elect delegates to the Atlanta Convention by the Legislature, or in case any person elected by the Legislature should decline to serve as such, then it shall be competent for the Governor to appoint a delegate or delegates, to the end that the State of Mississippi be represented in said Convention by the number of delegates agreed upon by the resolutions on State and Federal Relations which have been passed by the present Legislature.

Resolved, By the Senate, (the House concurring,) That the two Houses will meet in joint convention this evening at half after 7 o'clock, for the purpose of electing delegates to the Atlanta Convention, as provided for in the resolutions on State and Federal relations.

Mr. Mims called up,

House resolutions in relation to our representatives in Congress,

Which were concurred in.

Mr. Harris made the following report,

Which was received and agreed to.

MR. PRESIDENT—

The committee on Education to whom was referred,

A bill entitled,

An act for the better protection of schools in the State of Mississippi.

Have had the same under consideration, and have intrusted me to report the same back, and to recommend that the same do not pass.

Mr. Ellett, from the committee on the Judiciary, made the following report :

Which was received and agreed to.

MR. PRESIDENT—

The committee on the Judiciary to whom was referred,

A House bill entitled,

An act to amend the laws in relation to free negroes and mulattoes in this State, and for other purposes,

And various petitions on the same subject,

Have had the same under consideration and have instructed me to report that there are a number of provisions in the bill to which the committee cannot give their assent, but that want of time will not allow them to give the bill the revision and amendment which they think it requires. In order that the Senate may be put in possession of the bill, for such action as it may see proper, the committee report it back, and ask to be discharged from the further consideration of the subject.

A bill to be entitled,

An act to amend the laws in relation to free negroes and mulattoes in this State, and for other purposes,

Was read the second time,

When,

Mr. West moved,

Its indefinite postponement.

Upon which the yeas and nays were called.

YEAS—M. President, Messrs. Buck, Braiser, Davis, McLain, Mason, McCord, McRae, Neill, Rankin, Starke, West and Wilson—13.

NAYS—Messrs. Covington, Ellett, Enloe, Harrison, Harris, Howry, Huie, Mims, Oliver, Quin, Thomson and Taliaferro—12.

The bill was therefore postponed.

Mr. Ellett, from a select committee, made the following report,

Which was received and agreed to :

MR. PRESIDENT—

The select committee to whom was referred,

The second time,

An act for the relief of John J. McRae, &c.,

Have reconsidered the said bill, with the additional information laid before the committee on the subject, and have instructed me to report the same back and to recommend its passage,

An act for the relief of John J. McRae,

Was under a suspension of the rule read the second and third times, and passed,

The title standing as stated.

Mr. Buck, from the committee on the Judiciary, made the following report :

Which was received and agreed to.

MR. PRESIDENT—

The committee on the Judiciary, to whom was referred,

A bill to be entitled,

An act to regulate the contracts of hands on steamboats,

Have had the same under consideration, and have instructed me to report the same back, and to recommend its passage.

An act to regulate the contracts of hands on steamboats,

Was under a suspension of the rules, read the second and third times, and passed,

The title standing as stated.

Mr. Ellett, from the committee on the Judiciary, made the following report,

Which was received and agreed to.

MR. PRESIDENT—

The committee on the Judiciary to whom was referred,

House bill entitled,

An act to amend the law relative to estrays,

Have had the same under consideration and have instructed me to report the same back and to recommend its passage.

An act to amend the law in relation to estrays,

Was under a suspension of the rules, read the second and third times, and passed,

The title standing as stated.

Mr. Ellett, from the committee on the Judiciary, made the following report,

Which was received and agreed to.

MR. PRESIDENT—

The committee on the Judiciary to whom was referred,

An act entitled,

An act to amend article 167, section 34, chapter 64 of the Revised Code,

Have had the same under consideration, and would report the same back, and to recommend that the said bill do not pass.

Mr. McCord called for the orders of the day.

Resolutions in relation to the Southern Pacific Railroad, were,
On motion of Mr. Neill,
Taken up.

When,

Mr. Harrison moved,

That they be indefinitely postponed.

Which was lost.

And they were read the third time, and passed.

A bill to be entitled.

An act to provide for an increase of the revenue of this State.

Was, under a suspension of the rules, read the first and second times, and

Referred to the committee on Finance.

An act to incorporate the North Alabama Telegraph Company,

Was, under a suspension of the rules, read three times and passed,

The title standing as stated.

Mr. Oliver called for the special order.

A bill to be entitled,

An act to exempt from execution and sale slaves in case where the plaintiff, or person for whose use the money is sought to be collected, denies the right of property in slaves.

Was read the third time, and,

Upon its passage the yeas and nays were called.

YEAS—Mr. President, Messrs. Brasier, Covington, Enloe, Harrison, Harris, Huie, Mims, McRae, Oliver, Thames and Talliaferro—12.

NAYS—Messrs. Davis, Ellett, Howry, McLain, Mason, McCord, Neill, Quin, Rankin, Starke, Thomson, West and Wilson—13.

The bill was therefore lost.

A bill to be entitled,

An act to regulate the collection of debts against absconding debtors.

Was under a suspension of the rules read the second time.

Mr. West moved,

Its indefinite postponement,

When Mr. Mason called for the previous question,

Which was put.

The motion was lost.

Mr. Howry offered the following amendment,

Amend by adding the following:

SEC. *Be it further enacted*, That the property now exempt by law from execution, sale or attachment shall be subject to levy or sale by virtue of any execution or decree in favor of any executor, administrator or guardian, or for any trustee or guardian, or for any trust debt, upon affidavit being filed with the Clerk of the

Court from which such attachment or execution may issue, that such judgment or decree cannot be otherwise made.

Mr. Rankin called for the previous question,

Which being put,

The amendment was lost.

The bill was read the third time, and passed,

The title standing as stated.

Mr. Chrisman asked and obtained leave to introduce,

A bill supplemental to an act entitled an act in relation to the Circuit and Chancery Courts in the county of Lawrence.

Which under a suspension of the rules was read three times, and passed,

The title thereof standing as stated.

The following message was received from the House of Representatives, through their Clerk, Mr. Brougher.

MR. PRESIDENT—

The House of Representatives has passed the Senate bill entitled,

An act to provide for and regulate divorces.

And has concurred in the Senate amendments to a House bill entitled,

An act to amend the road laws of Washington county,

And has passed House bills entitled,

An act for the relief of Wm. F. Smith.

An act defining the duties of County Surveyors.

An act for the relief of Wm. Walker, of Oktibbeha county.

An act to distribute weights and measures.

An act entitled,

An act to authorize the Board of Police of Holmes county to salary its Secretary and publish its proceedings,

Was,

On motion of Mr. West,

Referred to a select committee of three.

The President appointed as said committee,

Messrs. West, Ellett and Neill.

Mr. Huie, from the committee on Finance, made the following report :

Which was received and agreed to.

MR. PRESIDENT—

The committee on Finance to whom was referred,

A bill to be entitled,

An act for an increase of the revenue of this State,

Have had the same under consideration, and have instructed me to report the same back to the Senate, and recommend the adoption of the accompanying amendment.

All of which is respectfully submitted.

A bill to be entitled,

An act to provide for an increase of the revenue of this State.

With the following amendment:

In section first, and in the third line, amend by striking out "sixty" and inserting "seventy-five."

Mr. Wilson moved,

To postpone it until three o'clock this evening,

Which was lost.

On motion of Mr. Neill,

The third section was stricken out.

The bill was read the third time, and passed,

The title standing as stated.

A bill to be entitled,

An act to repeal articles 54, 55 and 56 of section 8, chapter XXXV of the Revised Code,

Was read the second time.

Mr. Davis moved,

To add Messrs. West and Mims to the committee on Enrolled Bills.

Mr. Oliver offered the following amendment,

Provided, The will or deed to such corporation, religious society, or charitable association be made and executed according to law, six months previous to the last sickness of the testator of any last will and testament, or the making of the deed conveying the property to either of them.

Which was lost.

The bill read the third time, and,

Upon the passage the yeas and nays were called.

YEAS—Messrs. Buck, Brasier, Covington, Davis, Ellett, Howry, McLain, Mims, Mason, McCord, Neill, Quin, Starke, Thomson and Wil-on.—16.

NAYS—Messrs. Enloe, Harris, Oliver, Rankin, Thames, and West.—6.

The bill was therefore passed.

Mr. Davis from the committee on Enrolled Bills, made the following report,

MR. PRESIDENT—

The committee on Enrolled Bills have examined,

A bill entitled,

An act to provide for and regulate divorces.

And would report that they find the same correctly enrolled.

A bill to be entitled,

An act to regulate the fees of the Clerk of the Circuit and Chancery Courts of Hinds county.

With amendments.

Was under a suspension of the rules read a three times, and passed,

The title remaining as stated.

An act to prevent the destruction of oysters in this State.

With House amendments,

Was, under a suspension of the rules, read three times and passed,

The title thereof standing as stated.

A bill to be entitled,

An act to incorporate the Pickensville Branch Railroad Company.

Was read three times under a suspension of the rule and passed,

The title standing as stated.

Mr. Buck asked and obtained the unanimous consent of the Senate to introduce,

A bill to be entitled,

An act in relation to the Criminal Court of Warren county,

Which was read three times under a suspension of the rule and passed,

The title standing as stated.

An act to provide for the payment of the indebtedness of certain counties of the Mississippi Levee District,

With Senate amendment in which the House refused to concur,

Was read.

When Starke moved,

That the Senate recede from its amendment,

Which was agreed to.

A bill to be entitled,

An act in relation to the Bank of Mississippi, incorporated by act of February 26, 1836, as the Lake Washington and Deer Creek Railroad and Banking Company, and whose name and style was changed to the Bank of Mississippi by act approved February 16, 1838,

Was read three times under a suspension of the rule, and passed,

The title thereof standing as stated.

A bill to be entitled,

An act to provide for the election of Trustees of 16th sections, and other purposes, so far as relates to the counties of Yallobusha, Clarke and Tallahatchie,

Which was read the first time and under a suspension of the rules read the second time, and,

Referred to a select committee of three.

Composed of Messrs. McLain, Talliaferro and Brasier.

A House resolution,

Resolved, That the thanks of this Legislature be and are hereby tendered to Col. F. M. White, President of the Mississippi and Tennessee Railroad, for his generous liberality in furnishing the members with free tickets to travel said road for the next twelve months, which,

On motion of Mr. Ellett,

Was laid on the table.

On motion of Mr. Buck,

The Senate adjourned until three o'clock this evening.

THREE O'CLOCK P. M.

The Senate met pursuant to adjournment,

Mr. Drane asked and obtained the unanimous consent of the Senate to introduce,

A bill to be entitled,

An act to aid in the construction of the New Orleans, Jackson and Great Northern Railroad in the county of Attala,

Was read the first time,

And under a suspension of the rules read the second time,

When Mr. Drane moved,

To fill blanks in sec. 1 with the word ten, and the blank in sec. 4 with the word three.

The bill was read the third time and passed,

The title standing as stated.

Mr. Thomson moved,

A reconsideration of the vote on the House resolutions in relation to the mileage of members,

Which was adopted.

Mr. Starke moved,

That it be concurred in,

Upon which the yeas and nays were called :

Mr. Neill asked leave of absence for Mr. Buchanan,

Which was agreed to.

Mr. McCord was excused from voting.

YEAS—Messrs. Buck, Brasier, Covington, Howry, Mims, McRae, Oliver, Rankin, Starke and Thames.—10.

NAYS—Mr. President, Messrs. Chrisman, Davis, Ellett, Enloe, Harrison, Harris, Huie, McLain, Mason, Neill, Quin, Thomson and Wilson.—14.

The resolution was therefore lost.

The special orders were taken up,

A bill to be entitled,

An act to establish a system of common schools in the county of Coahoma, and for other purposes,

Was read three times under a suspension of the rule and passed,

The title standing as stated.

The following message was received from the House of Representatives, through their Clerk, Mr. Brougher,

MR. PRESIDENT:—

The House of Representatives has passed a Senate bill entitled,

An act in relation to the Criminal Court of Warren county.

And a House bill entitled,

An act to create and organize a new county to be called the county of Quitman.

Mr. West made the following report,

Which was received and agreed to.

MR. PRESIDENT—

The select committee to whom was referred,

A House bill entitled,

An act to authorize the Board of Police of Holmes county to salary its Secretary and publish its proceedings,

Have had the same under consideration, and have instructed me to report the same back with the following amendment, and to recommend the adoption of the amendment, and the passage of the bill as amended.

The following amendment, reported by the committee, was adopted:

“Amend the first section by striking out all after the word authorize in the fourth line, and inserting the following:

In their discretion to allow to the Clerk of said Board such annual allowance for his services as said Clerk as they may deem just and reasonable, not exceeding five hundred dollars per annum, payable out of the County Treasury; and such allowance shall be in lieu of the per diem pay and all other allowances authorised by law to be paid to said Clerk.”

The bill as amended was read the third time and passed,

The title standing as stated.

Mr. McLain from a select committee, made the following report,

Which was received and agreed to.

MR. PRESIDENT—

The select committee to whom was referred,

A bill to be entitled,

An act to provide for the election of Trustees of 16th sections in the counties of Yallobusha, Tallahatchie and Clarke,

Have had the same under consideration, and have instructed me to report the bill back to the Senate with the following amendment, and recommend the passage of the bill as amended.

Amendment,

Amend by striking out the county of Clark wherever the same occurs,

Which was adopted.

The bill as amended was read the third time and passed,

The title standing as stated.

An act to incorporate the town of Bonner, in Calhoun county,

Was read three times under a suspension of the rule, and passed,

The title standing as stated.

A bill to be entitled,

An act to aid in the construction of the Grenada, Houston and Eastern Railroad,

With House amendments,

Which were concurred in by the Senate.

A bill to be entitled,

An act to prevent the sale of vinous and spirituous liquors within three miles of Slate Springs Academy, in Calhoun county,

Was read three times under a suspension of the rule, and passed,

The title standing as stated.

An act to incorporate the town of Ellistown, in the county of Pontotoc,

Was read three times under a suspension of the rule and passed,

The title standing as stated.

An act for the benefit of the Sheriff of Hinds county,

Was, under a suspension of the rules, read the second and third times and passed,

The title standing as stated.

The following message was received from the House of Representatives, through their Clerk, Mr. Brougher,

MR. PRESIDENT—

The House of Representatives has passed Senate bills entitled,
An act to aid in the construction of the Grenada, Houston and Eastern Railroad,

With an amendment in which the concurrence of the Senate is desired.

And a Senate bill entitled,

An act to prohibit traffic at private landings on the Mississippi river without the consent of owners,

On motion of Mr. Thomson,

The Senate concur in House amendments to the Grenada, Houston and Eastern Railroad.

An act to incorporate the Brandon State Military Institute, and for other purposes,

Was read the first time, and under a suspension of the rule, read the second time.

Mr. Quin offered to amend,

By inserting after the words authorized to, in section 2, "provided and,"

Which was adopted.

Additional sections:

SEC. 5. *Be it further enacted*, That the sum of three thousand dollars be and the same is hereby annually appropriated out of any monies in the Treasury of the State, not otherwise appropriated, for the term of ten years, and the Auditor of Public Accounts be required to issue his warrant for the above appropriation of three thousand dollars in favor of the Treasurer of the Board of Trustees of said Military Institution. *Provided*, That said Treasurer of said Board of Trustees shall have executed his bond, with good and sufficient security, payable to the Governor of this State and his successor in office, and is approved by the Judge of Probate of Rankin county, in an amount to double the sum of money specified in the Auditor's warrant.

SEC. 6. *Be it further enacted*, That in consideration of the aid to be bestowed by the State, there shall be educated in said Institution annually from the 1st day of October next, (1860,) for the term of ten years, free of all charge for tuition fees, one cadet from each Senatorial District in this State; said cadets to be selected from time to time by the State Legislature, or in case of vacancy occurring during a legislative recess, to be appointed by the Governor, and the Legislature may from time to time appoint a Board of Visitors to examine into the condition and management of said Institution—conditioned for the faithful application of the monies collected on the warrant to the purposes for which the appropriation was made.

Mr. Starke called for the previous question,

Which being sustained,

Upon the adoption of the amendment the yeas and nays were called:

YEAS—Messrs. Covington, Chrisman, Davis, Harris, McLain, Mims, Oliver, Quin, Rankin, Starke, and West.—11.

NAYS—Mr. President, Messrs. Buck, Brasier, Ellett, Mason, McCord, McRae, Neill, Thomson, and Wilson.—11.

The amendment was therefore adopted.

Under a further suspension of the rules the bill was read the third time,

And upon its passage the yeas and nays were called:

YEAS—Messrs. Covington, Chrisman, Davis, McLain, Mims, Quin, Rankin, Starke and West.—9.

NAYS—Mr. President, Messrs. Buck, Brasier, Ellett, Harrison, Mason, McCord, McKee, Neill, Oliver, Thomson and Wilson—12.

The bill was lost.

Mr. Davis moved,

The Senate adjourn until 7½ o'clock,

Which was lost.

House messages were taken up,

A bill to be entitled,

An act for the relief of Joe Baird, a free man of color,

Was referred to the committee on the petition of Wesley Moore.

The following message was received from the House of Representatives, through their Clerk, Mr. Brougher :

MR. PRESIDENT—

The House of Representatives has concurred in the Senate amendments to the House bill entitled :

An act to incorporate the Mobile, Memphis and St. Louis Railroad Company.

And has concurred in the Senate resolutions in relation to the election and appointment of delegates to the Atlanta Convention.

And has passed, with an amendment, the Senate bill entitled,

An act to provide for the better securing of titles to lands held and claimed under tax sales and tax titles.

And has passed the following Senate bill,

An act to prohibit the sale of intoxicating liquors within the town of Orizaba, in the county of Tippah or within one mile thereof.

An act to aid in the construction of the New Orleans, Jackson and Great Northern Railroad in the county of Attala.

An act supplemental to an act in relation to the Circuit and Chancery Courts in the county of Lawrence.

An act to further amend the laws in relation to the sale of vinous and spirituous liquors within the prescribed limits of the University of Mississippi.

Memorial to the Congress of the United States praying the cession of certain public lands to aid in the construction of the Gulf and Ship Island Railroad.

An act to provide for the better securing of titles to lands held and claimed under tax sales and tax titles,

With House amendments,

In which the Senate concurred.

A bill to be entitled,

An act, &c.,

Was, on motion of Mr. West,

Rejected.

A bill to be entitled,

An act to prevent levees constructed in Warren county from injury,

Was, under a suspension of the rules, read the first and second times.

Mr. Neill moved,

A reconsideration of the vote by which the Brandon Military Academy bill was lost,

Which was adopted.

Mr. Neill moved,

A reconsideration of the vote by which the last amendment was adopted,

Which were agreed to.

And on his further motion,

The amendment was laid on the table.

When the bill was read the third time and passed,

The title standing as stated.

Mr. Buck offered the following amendment:

Amend by inserting after the words Warren, in the 4th line, where such levee lawfully constructed,

Which was adopted.

The bill was read the third time and passed,

The title standing as stated.

Mr. West from the select committee, made the following report,

Which was received and agreed to :

MR. PRESIDENT—

The select committee to whom was referred sundry petitions relative to free negroes, ask to report the same back to the Senate and be discharged from their consideration.

Mr. Starke moved,

A reconsideration of the vote receding from Senate amendment from House bill in relation to the Levee District,

When he again moved,

That the Senate recede from its amendment,

Which was adopted.

Mr. Neill moved,

The Senate adjourned until 7 1.2 oclock P. M.

SEVEN AND A HALF O'CLOCK P. M.

The Senate met pursuant to adjournment,

The following message was received from the House of Representatives, through their Clerk, Mr. Brougher,

MR. PRESIDENT—

I am requested by the House of Representatives, to inform the Senate, that the Hall of the House is now in readiness for the reception of the Senate, to the end that the two Houses proceed in Joint Convention (pursuant to resolutions,) to the election of seven delegates to the proposed Convention to be held at Atlanta, Georgia, in June next.

Mr Mims asked and obtained leave to call up from House messages,

An act to be entitled,

An act to incorporate the Jackson Gas Company,

Which was read three times under a suspension of the rule and passed,

The title standing as stated.

Mr. Buck moved,

A reconsideration of the vote passing a bill in relation to Levees in Warren county.

When he withdrew his amendment thereto.

And the bill was read the third time and passed,

The title standing as stated.

The following message was received from the House of Representatives, through their Clerk Mr. Brougher,

MR. PRESIDENT—

The House of Representatives has passed, with amendments, the Senate memorial to Congress in relation to public lands within six miles of the Mobile and Ohio Railroad.

And has passed,

A Senate bill entitled,

An act for the collection and preservation of the annals relating to the Natchez District,

With an amendment, in which the concurrence of the Senate is desired.

And,

A House bill entitled,

An act to incorporate Magnolia Lodge, No. 16, at Warrenton, in Warren county.

And a resolution granting a vacant room on the 3d floor of the Capitol to the Adjutant-General during his term of office.

On motion of Mr. Starke,

The Senate proceeded to the Hall of the House of Representatives, for the purpose of electing seven delegates to the Atlanta Convention.

The Joint Convention of the two Houses having assembled.

The President explained the object of the Convention.

When Mr. McLain offered the following resolution,

Which was adopted.

Resolved, That it is the sense of this Joint Convention of the

two Houses, that no member of this Legislature is Constitutionally eligible for the place of Delegate to the Atlanta Convention.

The Hons. Wm. R. Hill, of Yazoo; Samuel J. Gholson, of Monroe; Henry S. Dickerson, of Lowndes; Samuel S. Boyd, of Adams; A. M. Clayton, of Marshall; Wiley P. Harris, of Hinds, and Hiram Cassedy, of Franklin;

Were severally nominated and elected by acclamation.

The object of the Joint Convention having been accomplished,

The Senate repaired to their Chamber,

When, on motion of Mr. West,

It adjourned until 9 o'clock to-morrow morning.

FRIDAY, Feb. 10, 1860.

The Senate met pursuant to adjournment.

The roll was called.

And the Journal of yesterday was read, corrected and approved.

Mr. Ellett, from the committee on the Judiciary, made the following report,

Which was received and agreed to.

MR. PRESIDENT—

The committee on the Judiciary to whom was referred,

A House bill entitled,

An act to amend the 3d section of the 14th article of chapter 36 of the Revised Code, in relation to satisfying mortgages and deeds of trust,

Have had the same under consideration, and have instructed me to report the same back, with an amendment, and recommend the adoption of the amendment, and passage of the bill as amended.

A bill to be entitled,

An act to amend the 3d section of the 14th article of chapter XXXVI of the Revised Code, in relation to satisfying mortgages and deeds of trust,

With an amendment,

Which was adopted,

And under a suspension of the rules the bill was read the second and third times and passed as amended

The title standing as stated.

Mr. Neill asked and obtained leave to call up,

A bill to be entitled,

An act to incorporate the Carroll County Manufacturing Company.

Was read three times under a suspension of the rule, and passed,

The title standing as stated.

House messages were taken up,

A bill to be entitled,

An act amending chapter 15, of the Revised Code, so far as the same applies to the county of Warren,

Was read three times under a suspension of the rule and passed,

The title standing as stated.

A bill to be entitled,

An act to more fully secure the school funds of Calhoun county, and define the duty of the County Treasurer,

Was, under a suspension of the rules, read three times and passed,

The title standing as stated.

An act supplemental to an act entitled an act to provide for an increase of the revenue of the State,

Which was declared unconstitutional.

An act entitled,

An act to incorporate Wilson's Hall, in Marshall county,

Which under a suspension of the rules was read three times, and passed,

The title standing as stated.

The following message was received from the House of Representatives, through their Clerk Mr. Broughei,

MR. PRESIDENT—

The House of Representatives has passed,

A bill entitled,

An act to amend an act to incorporate the Deer Creek Rail Road Company.

Mr. Mims, from the committee on Enrolled Bills, made the following report,

Which was received and agreed to.

MR. PRESIDENT—

The committee on Enrolled bills have examined the following bills,

An act in relation to the Circuit and Chancery Courts of Lawrence county.

An act to aid in the construction of the Grenada, Houston and Eastern Railroad.

An act to prosecute the Geological Survey of the State of Mississippi, and for other purposes.

An act to authorize the Boards of Police of Choctaw and

Winston counties to hold an election in certain townships and localities in said county, for the purposes expressed in this act.

An act in relation to the Criminal Court of Warren county.

An act to prohibit traffic at private landings on the Mississippi river without the consent of owners.

An act to further amend the laws in relation to the sale of vinous and spirituous liquors within the prescribed limits of the University of the State of Mississippi.

Also a memorial to Congress.

And resolutions in relation to the appointment of a Commissioner to investigate the Seminary Fund and other similar matters,

And would report that they find the same correctly enrolled.

A bill to be entitled,

An act to reduce the price and to dispose of the unsold swamp and overflowed lands in the counties of Hancock, Marion, Lawrence, Simpson and Copiah,

Which, on motion of Mr. Chrisman,

Was rejected.

A bill to be entitled,

An act for the relief of Sallie Walker, a free woman of color, of Oktibbeha county,

Was laid on the table,

On motion of Mr. Neill.

Mr. McLain asked to call up from House messages,

Memorial to Congress in relation to public lands within six miles of the Mobile and Ohio Railroad,

With House amendment,

In which,

Mr. McLain moved,

The Senate concur.

An act to prohibit the sale of intoxicating liquors within the town of Ruckersville, in the county of Tippah, or within one mile and a half thereof,

Was read three times under a suspension of the rule, and passed,

The title standing as stated.

A bill to be entitled,

An act to authorize the Board of Police of Tishomingo county to grant a licence for Billiard Tables, and for other purposes,

Was, on motion of Mr. Neill,

Rejected.

An act to incorporate the town of McNutt, in the county of Sunflower,

Was, under a suspension of the rules, read three times and passed,

The title standing as stated.

A bill to be entitled,

An act for the relief of Mrs. H. A. Nietseke, of DeSoto county,

Which was read three times under a suspension of the rule, and passed,

The title standing as stated.

A bill for the relief of Wm. King, a free man of color, of Tishomingo county.

Was rejected.

An act to incorporate the town of Rockyford, in Pontotoc county,

Which was read three times under a suspension of the rule, and passed,

The title standing as stated.

Mr. West, Chairman of the committee on Enrolled Bills, offered the following report:

Which was received and agreed to.

MR. PRESIDENT—

The committee on Enrolled Bills would report that they have examined the following bills and resolutions, and find them correctly enrolled,

An act to empower the Trustees of the Mississippi Penitentiary to contract for and purchase a certain lot of land therein described.

An act to authorize — McKinzie to receive from the proper authorities license to practice law in any of the Courts of this State.

An act to ratify sales of section 16, township 2, range 14, in the county of Clark.

Resolutions accepting the portraits of David Holmes and Thomas H. Williams, presented by James S. Johnson, of Jefferson county.

An act to amend the laws relating to paupers.

An act to regulate the sale of vinous or spirituous liquors within the limits of sections 23, 24, 25, 26, in township 6, range 1, west, in Marshall county,

Was read three times under a suspension of the rule and passed,

The title standing as stated.

A bill to be entitled,

An act to authorize the Board of Police of Madison county to purchase a half section of land for the use of paupers,

Was read three times under a suspension of the rules and passed,

The title thereof standing as stated.

A bill to be entitled,

An act for the benefit of township 10, range 5 east, in Madison county,

Was read three times under a suspension of the rules and passed,

The title standing as stated.

Mr. Davis, from the committee on Enrolled Bills, made the following report,
Which was received and agreed to.

MR. PRESIDENT—

The committee on Enrolled Bills have examined,

A bill entitled,

An act to prevent the destruction of oysters in this State;

Resolutions upon Federal Relations.

An act to regulate the fees of the Clerk of the Circuit and Chancery Courts of the county of Hinds,

And would report that they find the same correctly enrolled.

A bill to be entitled,

An act to amend an act entitled an act to incorporate the city of Canton, approved Feb. 12, 1856,

Was read three times under a suspension of the rules and passed,

The title standing as stated.

A bill to be entitled,

An act in relation to service of process on Railroad Companies in this State,

And,

An act for the relief of George Burnett, a free man of color of Itawamba county,

Were rejected.

A bill to be entitled,

An act to amend an act to render into one, the several acts heretofore passed in relation to sixteenth sections and common schools, so far as the same relates to Hinds county,

Was read three times under a suspension of the rule and passed,

The title standing as stated.

An act to increase the salary of the Probate Judge of Sunflower county,

Was read three times under a suspension of the rules and passed;

The title standing as stated.

A bill to be entitled,

An act to prohibit the sale or distribution of intoxicating liquors except in certain cases, within two miles of the town of Mt. Carmel, in the county of Covington, Beat No. 4,

Was, on motion of Rankin,

Rejected.

A bill to be entitled,

An act to change the time of holding the Circuit Courts in the 8th Judicial District,

Was, on motion of Mr. McLain,

Rejected.

A bill to be entitled,

An act to amend an act entitled an act to establish a Hospital in the town of Grand Gulf, approved February 25, 1842,

Was read three times under a suspension of the rules and passed,

The title standing as stated.

A bill to be entitled,

An act to incorporate the town of French Camp, and for other purposes,

Was read the first time, and under a suspension of the rules, read the second time,

When Mr. Drane offered the followig amendments :

Amend 1st section by adding at the end thereof, the words "and Constables.

2 amendment,

Amend by additional section,

SEC. 11. *Be it further enacted*, That the Mayor and Selectmen of said town be and they are hereby constituted a body corporate and politic, under the name and style of the President and Selectmen of the town of French Camp, and by that name may contract and be contracted with, sue and be sued, plead and be impleaded, in any of the Courts in this State.

Amend 3d section by adding after Mayor, in 11th line, the words "and Constable,

All of which were adopted.

When the bill was read the third time and passed,

The title stahding as stated.

A bill to be entitled,

An act to incorporate the Amite County Female Academy, located in the town of Liberty, in the county of Amite,

Was read three times under a suspension of the rules and passed,

The title standing as stated.

A bill to be entitled,

An act to provide for the payment of interest on State warrants in the case of a deficit in the State Treasury,

Was read the first time under a suspension of the rules:

When it was rejected.

A bill to be entitled,

An act to appropriate \$10,000 to the repairs and improvement of the public buildings and grounds,

With House amendments,

In which the Senate concurred.

A bill to be entitled;

An act for the benefit of St. Mary's Orphan Asylum,

Was, under a suspension of the rules, read the first and second times,

When Mr. Howry offered the following amendment :

Provided, That seven hundred dollars be also appropriated out of the State Treasury to Missouri Jones, of DeSoto county, an orphan girl, only daughter of Stephen Jones, deceased, late a soldier in the Mexican war—the said Missouri having lost the pension money coming to her deceased parent, by the defalcation of her guardian.

On motion of Mr. Wilson,

The bill and amendment were indefinitely postponed.

A bill to be entitled,

An act in relation to keepers of Livery Stables,

Was, on motion of Mr. Neill,

Rejected.

A bill to be entitled,

An act to authorize R. C. Moore, Guardian of the persons and property of Sophia M. Moore, and Mary S. Sims, to sell north-east quarter of section 15, and north-west quarter and west half of north-east quarter of section 11, and east half of south-east quarter of section 10, township 123, west, in Washington county,

Was read three times under a suspension of the rule and passed,

The title standing as stated.

A bill to be entitled,

An act to protect the county of Sunflower against cattle not the property of residents or land owners in the same,

Which, under a suspension of the rules, read the first and second times,

When Mr. Starke offered an amendment,

Which was withdrawn.

Mr. Buck called up

An act amendatory of the law of deeds and distributions,

With House substitute,

In which he moved,

The Senate concur,

Which was agreed to.

A bill to be entitled,

An act to authorize the assessment and collection of a tax on the lands in Sunflower county for the purpose of making roads and bridges,

Was under a suspension of the rules read a three times, and passed,

The title remaining as stated.

Mr. West called up,

An act to protect the county of Sunflower against cattle, &c.,

Which was read the third time and passed,

The title thereof standing as stated.

Mr. Ellett asked and obtained leave to call up,

Senate bill entitled,

An act to provide for the support of infants in certain cases,
 With House amendment,
 To which he offered the following amendment,
 Amend the House amendment by striking out the words
 "either of them," and insert the words "whose father" in fifth
 line of first section,

Which was adopted.

Mr. Ellett called up,

An act to amend the sixtieth chapter of the Revised Code,
 entitled an act concerning marriages, divorces and the separate
 property of married women,

With House amendments.

In which he moved the Senate concur.

Mr. Wilson called up,

A bill to be entitled,

An act for the collection and preservation of the annals relating
 to the Natchez District,

With House amendment.

In which he moved the Senate concur.

Which was agreed to.

Mr. Starke asked and obtained leave to call up,

A bill to be entitled,

An act to call a convention to change the Constitution of the
 United States of America.

Which was read the second time.

The following message was received from the House of Rep-
 resentatives, through their Clerk, Mr. Brougher,

MR. PRESIDENT—

The House of Representatives has passed bills entitled,

An act to transfer the county of Sunflower to the 3d District for
 the election of Judges of the High Court of Errors and Appeals.

An act to amend the act providing for the establishment of the
 Probate Courts.

An act to amend article 19 of chapter 17 of the Revised Code,
 in relation to injuries to gates, bars, fences and other property.

An act to appropriate the funds arising from the sale of swamp
 and overflowed lands in Harrison county to common school pur-
 poses.

In which the concurrence of the Senate is desired.

MR. PRESIDENT—

The House of Representatives has passed Senate bills enti-
 tled.

An act to better provide for the draining of the swamp and
 overflowed lands in Harrison county.

And with amendments has passed Senate bill entitled,

An act to amend the sixtieth chapter of the Revised Code entitled an act concerning marriages, divorces, and the separate property of married women.

And has passed a substitute for Senate bill entitled,

An act to provide for the support of infants in certain cases.

And with an amendment Senate bill entitled,

An act amendatory of the law of descents and distributions.

And has concurred in the Senate amendments to House bills entitled,

An act to authorize the Board of Police of Holmes county to salary its Secretary and publish its proceedings.

An act to amend the 3d section of 14th article of chapter XXXVI of the Revised Code, in relation to satisfying mortgages and deeds of trust.

On motion of Mr. Howry,

The Senate adjourned till half past 3 o'clock this evening.

THREE AND A HALF O'CLOCK P. M.

The Senate met pursuant to adjournment.

Mr. Davis, from the committee on Enrolled Bills, made the following report,

Which was received and agreed to.

MR. PRESIDENT :—

The committee on Enrolled Bills,

Would report that they have examined,

A bill entitled,

An act for the collection and preservation of the annals relating to the Natchez District.

And that they find the same correctly enrolled.

Mr. Davis, from the committee on Enrolled Bills, made the following report :

MR. PRESIDENT :—

The committee on Enrolled Bills,

Have examined,

An act entitled an act to aid in the construction of the New Orleans, Jackson and Great Northern Railroad in the county of Attala.

An act to provide for the better securing of titles to lands held and claimed under tax sales and tax titles.

An act amendatory of the law of descents and distributions.

An act to prohibit the sale of intoxicating liquors in the town of Orizaba, or within one mile thereof.

An act to incorporate Independent Fire Engine Company No. 1, of the city of Vicksburg.

Memorial of the Legislature of the State of Mississippi to the Congress of the United States, in relation to public lands within six miles of the Mobile and Ohio Railroad.

And have found the same correctly Enrolled.

Mr. McCord moved,

That the bill under consideration in relation to the change in the Constitution,

Be laid on the table.

Which was agreed to.

Mr. Ellett asked and obtained leave to call up from House messages,

A bill to be entitled,

An act to amend the act providing for the establishment of Probate Courts, &c.,

Which, under a suspension of the rules, was read the first and second times, when,

Mr. Ellett offered the following amendment:

Which was adopted.

Amend the first section by adding the following:

Provided, The Sheriff shall not keep the Court open for a longer time than three days.

An act for the benefit of Ann Mataw, a free woman of color,

Which was read.

On motion of Mr. Starke,

Laid on the table.

A bill to be entitled,

An act to incorporate the Mobile and Ohio Telegraph Corporation.

Mr. McLain asked and obtained leave to withdraw said bill, Which was granted.

An act for the relief of Wm. Walker, of Oktibbeha county,

Which was read once, and

Laid on the table.

A bill to distribute weights and measures, &c.,

Was, under a suspension of the rules, read the first and second times, and,

Laid on the table.

An act for the relief of Jim Wall, a free man of color.

Was read once, when,

Mr. McKae moved,

It be rejected,

Which was lost, and,

The bill read the second and third times and passed,

The title standing as stated.

The following message was received from the Governor, through his private Secretary, Mr. Campbell:

EXECUTIVE OFFICE, }
City of Jackson, Miss., Feb. 8, 1860. }

MR. PRESIDENT—

The Governor did, on the 8th instant, sign and approve Senate bills entitled,

An act to grant a charter to Robert James for deepening the coast channels of the Gulf of Mexico within the jurisdiction of the State of Mississippi,

Resolution authorizing the Governor to cause the cannon presented to the State of Mississippi by the late Gen. J. A. Quitman, now in front of the Capitol, to be conveyed to the Penitentiary, &c.

An act to provide for the support of the Institution for the Instruction of the Deaf and Dumb,

An act to confer upon the Probate Court of Simpson county jurisdiction over the estate of Robert Slater, deceased.

An act to transfer certain collections in Natural History therein named.

An act to amend article No. 40 of the attachment law of this State.

An act to authorize the establishment of private burying grounds.

An act to incorporate the Columbus and Tennessee Railroad Company.

An act to increase the pay of Jurors.

An act for the benefit of Franklin Academy, in the town of Columbus.

Resolution that leave of absence not to exceed three months in each year be granted to Hon. Thos. J. Wharton for the years 1860 and 1861,

An act to compel the attendance of witnesses before the Grand Jury, and for other purposes.

Also, on the 10th instant,

An act to incorporate the Leake County Railroad Company.

An act to incorporate the town of Athens, in the county of Monroe.

An act to extend the provisions of an act for the relief of the State University approved March 6, 1856, to the University of Mississippi for two years, after 6th March next, and for other purposes.

An act to incorporate the Aberdeen Masonic High School,

An act for the better securing the purchasers of swamp land in Harrison county titles to the same,

An act to prohibit the sale of vinous and spirituous liquors in township 21, of range 4 east, in the county of Carroll.

Also, on the 9th instant.

An act to provide for and regulate divorces.

An act in relation to the Circuit and Chancery Courts of Lawrence county.

An act to provide for the transfer of the stock of the State of Mississippi in the New Orleans, Jackson and Great Northern Railroad, the Mississippi Central Railroad, and the Mobile and Ohio Railroad, to the Gulf and Ship Island Railroad Company.

An act in relation to the Criminal Court in Warren county.

Memorial to Congress.

An act to regulate the fees of the Clerk of the Circuit and Chancery Court of the county of Hinds.

An act to prohibit traffic at private landings on the Mississippi river without the consent of owners.

An act to authorize and require the Board of Police of Choctaw and Winston counties to hold an election in certain townships and localities in said counties for the purposes expressed in this act.

An act to prosecute the Geological Survey of the State of Mississippi, and for other purposes.

A bill supplemental to an act entitled an act in relation to the Circuit and Chancery Courts in the county of Lawrence.

An act to authorize McKenzie to receive from the proper authority license to practice law in any of the courts of this State.

Resolution in relation to the appointment of a Commissioner to investigate Seminary Fund and other similar matters.

An act to empower the Inspectors of the Mississippi Penitentiary to contract for and purchase a certain lot of land therein described.

An act to further amend the laws in relation to the sale of vinous and spiritous liquors within the prescribed limits of the University of the State of Mississippi.

An act to ratify sales of section 16, township 2, range 14 in the county of Clark.

An act to aid in the construction of the Grenada and Houston and Eastern Railroad.

An act to amend the law relating to Paupers.

Resolution accepting the portraits of David Holmes and Thos. H. Williams, presented by James L. Johnston, of Jefferson county.

An act for the collection and preservation of the annals relating to the Natchez District.

The following message was received from the Governor through his Private Secretary, Mr. Campbell,

EXECUTIVE OFFICE, }
 City of Jackson, Miss., Feb. 8, 1860. }

MR. PRESIDENT—

I hereby deliver to the Senate a message of the Governor relative to the appointment of Trustees of the Blind Asylum.

Mr. Rankin introduced a resolution granting leave of absence to the Hon H. Cassedy for three months during the present year.

Which was adopted,

Mr. McLain moved,

A reconsideration of the vote laying on the table a bill in relation to the courts in 8th Judicial District,

Which was agreed to:

He moved that the Senate proceed to the consideration of the bill,

Which, under a suspension of the rules, was read the second and third times and passed,

The title standing as stated.

On motion of Mr. Starke,

The Senate resolved itself into Executive Session upon the Governors message,

Which was agreed to.

Executive Session being dissolved,

Mr. Buck asked to introduce,

A bill to be entitled,

An act to authorize the Board of Police of Issaquena county to regulate and fee the per diem and mileage of its members.

Which, under a suspension of the rules, was read three times, and passed,

The title standing as stated.

Mr. McLain moved,

To reconsider the vote by which the

Bill for the relief of Ann Mataw, a free woman of color.

The bill, under a suspension of the rules, was read the second and third times,

When Mr. Chrisman offered the following amendment by way of rider, which he withdrew.

That the provisions of this bill shall confer upon said Ann Mataw the privilege of enslaving herself during the lifetime of the master or mistress.

And the bill was passed,

The title standing as stated.

An act to confirm the titles to certain lands in the county of Jones.

Which, under a suspension of the rules, was read the first and second time, and,

On motion of Mr. Rankin,

Referred to a select committee of three.

The President appointed as said committee,
Messrs. McLain, Rankin and Thames.

A bill to be entitled,

An act to incorporate the Warren County Agricultural Society.

Was read three times under a suspension of the rules, and passed,

The title standing as stated.

An act to create and organize a new county, to be called the county of Quitman.

Which,

Mr. McCord moved,

To reject.

Upon which Mr. Neill called the previous question.

Which was sustained.

The bill was rejected.

A bill to be entitled,

An act to incorporate Magnolia Lodge No 16, at Warrenton, in Warren county.

When, under a suspension of the rules, was read three times, and passed,

The title standing as stated.

A bill to be entitled,

An act defining the duties of County Surveyors,

Was rejected.

Mr. Harrison asked to call up a resolution allowing the Adjutant General to occupy a room, No. 6, on the 3d floor of the Capitol, during his term of office.

On motion of Mr. Mason,

The Senate adjourn till 7 o'clock.

SEVEN O'CLOCK P. M.

The Senate met pursuant to adjournment,

Mr. Thomson asked the unanimous consent to introduce a bill,

Which was refused.

Mr. McLain, from a select committee made the following report:

Which was received and agreed to.

MR. PRESIDENT—

The select committee to whom was referred,

The House bill entitled,

An act to confirm the titles to certain lands in the county of Jones,

Have had the same under consideration, and have instructed me to report the same back, and to ask to be discharged.

An act to confirm the titles to certain lands in the county of Jones,

Was read the second time, and

On motion of Mr. Neill,

It was laid on the table.

Mr. Neill offered the following resolution :

Which was read under a suspension of the rules, and,

Laid on the table.

Resolved, By the Senate, (the House concurring,) That from and after the passage of this resolution, room No. 11, adjoining the Auditor's office, be, and the same is hereby appropriated to the use of the books, records, &c., of the Auditor's office, to be fitted up in such manner as he may direct, with the approval of the Governor.

Mr. Rankin moved,

That the Senate reconsider the vote by which a bill prohibiting the sale of intoxicating liquors within certain limits of Mt. Carmel,

Which was agreed to.

The bill was read the second time, when,

Mr. Rankin moved,

To strike out the proviso referring it to the people,

Which was adopted.

The bill was read the third time, and,

Lost.

A bill to be entitled,

An act to appropriate the funds arising from the sale of swamp and overflowed lands in Harrison county to common school purposes,

Was read once, and,

Passed over informally.

An act to transfer the county of Snnflower to the 3d District for the election of Judges of the High Court of Errors and Appeals.

Was, under a suspension of the rules read three times, and passed,

The title standing as stated.

A bill to be entitled,

An act to amend article 19, chapter XVII of the Revised Code in relation to injuries to gates, bars, fences and other property,

Which under a suspension of the rules was read the first and second times,

Mr. Davis moved,

To amend by striking out chapter XVII, and insert chapter XVI.

Which was adopted.

Mr. Howry offered the following amendment,

And that any person so offending wilfully, shall be liable to indictment in the Circuit Court, and if found guilty shall be fined a sum not exceeding fifty dollars, and imprisoned in the county jail not exceeding three months, at the discretion of the Court.

Mr. Drane offered the following amendment to the amendment.

Provided, This amendment shall not apply to fox hunters from the 1st of October to the 1st of March, annually,

Which was withdrawn.

Mr. Brasier moved,

That the bill and amendment be indefinitely postponed.

Which was agreed to.

A House bill to be entitled,

An act to amend an act entitled,

An act to incorporate the Deer Creek Railroad Company,

Was, under a suspension of the rules, read the first and second times, and passed,

The title standing as stated.

Mr. West, from the committee on Enrolled Bills, made the following report:

Which was received and agreed to.

MR. PRESIDENT—

The committee on Enrolled bills have examined,

A bill entitled,

An act to provide for the support of infants in certain cases,

And would report the same correctly enrolled.

The following message was received from the House of Representatives, through their Clerk, Mr. Brougher:

MR. PRESIDENT—

The House of Representatives has concurred in the Senate amendments to House bill entitled,

An act to provide for an increase of the revenue of this State.

And the House insists on its amendment to the Senate bill entitled,

An act for the benefit of the family of the Hon. B. R. Webb, late Secretary of State.

And has passed Senate bills entitled,

An act to amend an act to provide for the payment of interest on the Chickasaw school fund, and for other purposes.

An act to change the county of Bolivar to the 3d District for the election of Judges of the High Court of Errors and Appeals.

The following message was received from the House of Representatives, through their Clerk, Mr. Brougher.

MR. PRESIDENT—

The House of Representatives has passed the Senate bill entitled,

An act to provide for the sale of goods, wares and merchandize manufactured in the Mississippi Penitentiary, and for other purposes.

The following message was received from the House of Representatives, through their clerk, Mr. Brougher :

MR. PRESIDENT—

The House of Representatives has passed,

A bill to be entitled,

An act making certain appropriations therein named.

In which the concurrence of the Senate is desired.

Mr. Wilson called up from the House messages,

An act for the relief the family of the Hon. B. R. Webb, late Secretary of State,

And on his motion,

The Senate concurred in House amendments.

The following message was received from the House of Representatives, through their Clerk, Mr. Brougher :

MR. PRESIDENT—

The House of Representatives has concurred in the Senate amendments to the House bill entitled :

A bill to be entitled,

An act to incorporate the Brandon Military Institute, and for other purposes.

A bill to be entitled,

An act to amend the act providing for the establishment of the Probate Courts.

The House of Representatives has concurred in the Senate amendments to House amendment to

A Senate bill to be entitled,

An act to provide for the support of infants in certain cases.

The following message was received from the House of Representatives, through their Clerk, Mr. Brougher,

MR. PRESIDENT—

The House of Representatives has passed Senate joint resolution in relation to the Auditor of Public Accounts.

And resolution granting leave of absence to the Hon. Hiram Cassedy.

And has passed the following Senate bill,

An act to authorize the Board of Police of Issaquena county to regulate and fix the per diem and mileage of its members.

Mr. Howry moved,

That the Senate reconsider the vote laying the resolution on the table.

When he offered the following additional resolution :

Resolved, That room No. 7 in the basement story of the Capitol, now occupied by the Judges of the High Court, be appropriated to the Auditor of Public Accounts for the use of his office ; and that room No. 3, now used by the Clerk of the High Court of Errors and Appeals, be appropriated to the Judges of the High Court of Errors and Appeals for a consultation room ; and rooms No. 5 and 7 in the first story be filled up by the removal of the drawers and furniture in room No. 3 in the basement story for the use of the Clerk of said High Court of Errors and Appeals, the use of said room No. 5 being discontinued to the Sheriff of Hinds county.

Which, with the preceding resolution, was adopted.

Mr. Mason moved,

To take up a House bill in relation to appropriations.

Which was read the first and second time, and

Mr. Starke moved,

To amend article 15 by inserting \$10,00 for printing in paper.

The appropriations were concurred in.

Mr. Thomson offered an amendment :

Appropriating to W. B. Cavanaugh, Door-Keeper.	\$ 66 00
“ “ John Clingan, Page.....	30 00
“ “ John McCabe, Enrolling Clerk..	70 00
“ “ F. T. Cooper and B. W. Sanders, each, Sec’y and Ass’t Sec’y of Senate.....	100 00

Mr. Neill moved to lay the amendment on the table.

Upon which the yeas and nays were called.

YEAS—Mr. President, Messrs. Brasier, Howry, McLain, Mason, McCord, Neill, Oliver, West and Wilson—10.

NAYS—Messrs. Buck, Chrisman, Davis, Enloe, Harrison, Nims, McRae, Quin, Rankin, Starke, Thomson and Thames—12.

The motion was therefore lost.

To Wm. B. Cavanaugh, Door-Keeper, as additional compensation, the sum of sixty-six dollars,

Was read,

When Mr. Oliver offered the following as a substitute.

To Wm. B. Cavanaugh, Door-Keeper, sixty-six dollars for mileage imposed upon him by the recess in coming to Jackson and returning home to Lowndes county,

Which was adopted,

When it was passed.

The appropriation to John Clingan,

Was withdrawn.

The appropriation to John McCabe,
Was lost.

The appropriation to F. T. Cooper and B. W. Sanders,
Was withdrawn.

Mr. Buck offered the following amendments,
Which were adopted.

ART. 35. To Henry Myers, the sum of \$185 allowed him for expenses incurred, including \$32 wages allowed him at \$2 per day for sixteen days, as the Deputy Sheriff of Issaquena county, in proceeding to Arkansas under a requisition of the Governor of this State upon the Governor of Arkansas for the arrest of Geo. and Wm. Graves, indicted for poisoning with intent to murder in the county of Issaquena; said Myers being at the time the agent of the State of Mississippi under said requisition.

ART. 34. To M. Shannon, proprietor of the Vicksburg Whig, for copies of the Daily Whig furnished the Senate at its present session, \$105.

Mr. Mims offered the following amendment, which,
On motion of Mr. West,
Was laid on the table.

Resolved, That the sum of \$380 50 be appropriated to Thos. T. Swan and Wm. H. Brown, for their services in making list of lands held by the State by forfeiture and tax sale, per resolution of Senate of November 20, 1858.

Mr. Harrison offered the following amendment:
Which was adopted.

The additional sum of fifteen dollars be, and the same is hereby appropriated to Jeffries, for his individual benefit.

Mr. Starke moved,

The bill under consideration, with amendments, be ordered to be engrossed and made the special order for to-morrow morning 10 o'clock

Mr. Starke asked and obtained leave to call up,

A bill to be entitled,

An act for the relief of William R. Smith,

Was read three times under a suspension of the rules, and passed,

The title standing as stated.

On motion of Mr. Starke,

The Senate adjourned until to-morrow morning at 9 o'clock.

SATURDAY, Feb. 11, 1860.

The Senate met pursuant to adjournment.

The roll was called.

The Journal of yesterday was read and approved.

The bill making appropriations,

Was taken up,

When Mr. Mims offered to amend by inserting the account of C. R. Dickson, Postmaster of Jackson, for postage on documents during the present session,

Which was adopted.

Mr. Mason offered the account of L. Julienne for stationery,

Which was adopted,

Mr. Wilson asked to call up,

Bill in relation to swamp and overflowed lands in Harrison county,

Which, on his motion,

Was indefinitely postponed.

On motion of Mr. Wilson,

The Senate took a recess of an hour.

The session of the Senate being resumed,

Mr. Buck asked and obtained leave to introduce,

A bill to be entitled,

An act to regulate the trial of slaves in capital cases.

Was, under a suspension of the rules, read three times, and passed,

The title standing as stated.

Mr. Mason moved,

To take up,

An act to make appropriations to the Mississippi Lunatic Asylum,

With House amendments,

In which the Senate concurred.

The following message was received from the House of Representatives, through their Clerk, Mr. Brougher,

MR. PRESIDENT—

The House of Representatives has concurred in the amendments made by the Senate to the Appropriation Bill, except the 3d and 5th, to which it disagrees.

Mr. Davis, from the committee on Enrolled Bills, made the following report,

Which was received and agreed to.

MR. PRESIDENT—

The committee on Enrolled bills have examined the following bills,

An act to provide for the sale of goods, wares and merchandize manufactured in the Mississippi Penitentiary, and for other purposes.

An act to authorize the Board of Police of Issaquena county to regulate and fix the per diem and mileage of its members.

An act to change the county of Bolivar to the 3d District for the election of Judges of the High Court of Errors and Appeals.

An act to provide for the payment of interest on the Chickasaw school fund, and for other purposes.

A resolution in relation to the Auditor's office.

Resolution granting leave of absence to Hon. Hiram Cassedy.

An act for the benefit of the family of the Hon. B. R. Webb, late Secretary of State.

And would report that they find the same correctly enrolled.

The following message was received from the House of Representatives, through their Clerk, Mr. Brougher,

MR. PRESIDENT—

The House of Representatives has passed Senate bills entitled,
An act in relation to swamp and overflowed lands in the county of Rankin.

An act for the benefit and protection of Odd Fellows Rest, Aberdeen Mississippi.

Mr. Mason moved,

To take up House messages,

And that the Senate recede from its amendment to the Appropriation Bill, making allowance to Wm. B. Cavanaugh, Door-Keeper.

Upon which a division was called.

When the motion was lost.

Mr. Howry moved,

That the Senate insist upon its amendment, and ask a committee of conference.

The President appointed as said committee,

Messrs. Howry, Buchanan and Neill.

The Senate receded from its amendment making appropriation to boy Jeffries.

The following message was received from the House of Representatives, through their Clerk Mr. Brougher,

MR. PRESIDENT—

The House of Representatives has passed,

Bills entitled,

An act making appropriations for the support of the Mississippi State Lunatic Asylum.

An act to amend the tenth chapter of the Revised Code, entitled an act in relation to State Library.

Mr. Starke offered the following resolution,

Which was unanimously adopted,

Resolved, That the thanks of the Senate are hereby tendered to the Hon. James Drane, President of the Senate, for his able, dignified and impartial bearing in presiding over the deliberations of the Senate during its present session.

Mr. Mims offered the following resolution,

Which was unanimously adopted.

Resolved, That the thanks of the Senate are hereby tendered to Maj. F. T. Cooper, Secretary of the Senate, and B. W. Sanders, Esq., Assistant, for the faithful and efficient manner in which they have discharged their duties during the present session.

The following message was received from the House of Representatives, through their Clerk Mr. Brougher,

MR. PRESIDENT—

The House of Representatives has adopted the following joint resolution :

Resolved, (the Senate concurring,) That this session be continued until 3 o'clock P. M. this day, at which hour the two Houses will adjourn.

Mr. Buck moved,

That the Senate concur in the House resolution extending the time to adjourn,

Which was concurred in.

The following message was received from the Governor through his Private Secretary, Mr. Campbell,

EXECUTIVE OFFICE,
City of Jackson, Miss., Feb. 11, 1860.

MR. PRESIDENT—

I am instructed by the Governor to report the captions of the following bills which he has approved, and which, for want of time could not be copied into a regular report, and ask that such report, when drawn off, appear on the Senate Journal.

An act to prevent the destruction of Oysters in this State.

An act to provide for the better securing of titles to lands held and claimed under tax sales and tax titles.

An act to provide for the sale of goods, wares and merchandize manufactured in the Mississippi Penitentiary, and for other purposes.

An act to amend the fortieth chapter of the Revised Code, entitled an act concerning marriages, divorces and the separate property of married women,

An act entitled an act to aid in the construction of the New Orleans, Jackson and Great Northern Railroad in the county of Attala.

An act to incorporate Independent Fire Engine Company No. 1, of the city of Vicksburg.

Resolution upon Federal Relations.

An act to prohibit the sale of intoxicating liquors in the town of Orizaba, or within one mile thereof.

Memorial of the Legislature of the State of Mississippi to the Congress of the United States in relation to public lands within six miles of the Mobile and Ohio Railroad.

An act for the benefit of the Hon. B. R. Webb, late Secretary of State.

Mr. Mims offered the following resolution,

Which was unanimously adopted :

Resolved, That the thanks of the Senate are hereby tendered to Col. W. B. Cavanaugh, Door-Keeper, and his assistant, and J. J. Denson, Sergeant-at-Arms, for their prompt, diligent and faithful attendance to the duties of their respective offices during the present session.

Mr. Howry made the following report,

Which was received and agreed to.

MR. PRESIDENT—

The committee of conference on the disagreement of the two Houses on the amendment of the Senate to the appropriation bill, report that they have agreed to retain the Senate's amendment, allowing W. B. Cavanaugh the amount allowed him.

The following message was received from the House of Representatives, through their Clerk, Mr. Brougher,

MR. PRESIDENT:—

The House of Representatives has passed a Senate bills entitled,

An act to provide for the removal of old buildings and nuisances from the public grounds, and for other purposes.

A bill to be entitled,

An act to regulate the trial of slaves in capital cases.

The following message was received from the House of Representatives, through their Clerk, Mr. Brougher,

MR. PRESIDENT—

The House has received and agreed to the report of the committee of conference on the disagreement of the two Houses on the 3d amendment to the appropriation bill.

Mr. Davis from the committee on Enrolled Bills, made the following report,

MR. PRESIDENT—

The committee on Enrolled Bills have examined the following bills,

An act to make appropriations for the benefit of the Mississippi State Lunatic Asylum.

A bill to amend the law for the trial of slaves in criminal cases, And would report the same correctly enrolled.

Mr. Neill offered the following resolution,

Which was laid on the table for the time,

Resolved, By the Senate, That the Secretary of the Senate inform the House of Representatives that they have disposed of the business before them and that it is now ready to adjourn.

Mr. Davis introduced the following resolution :

Resolved, By the Senate, That a committee of three on the part of the Senate and ——— on the part of the House, be appointed to wait on his Excellency the Governor and inform him that the two Houses have disposed of the business before them, and that they are now ready to adjourn, and ask him if he has any farther communication to make to either branch of the Legislature.

Which was adopted.

The President appointed as said committee on the part of the Senate,

Messrs. Davis, Oliver and Mason.

Mr. Davis, from the committee on Enrolled Bills, made the following report,

MR. PRESIDENT—

The committee on Enrolled Bills have examined,

An act to provide for the removal of old buildings and nuisances from the public grounds, and for other purposes,

And would report they find the same correctly enrolled.

The Senate took a recess of fifteen minutes.

The following message was received from his Excellency the Governor, through his Private Secretary, Mr. Campbell,

EXECUTIVE OFFICE, }
City of Jackson, Miss., Feb. 11, 1860. }

MR. PRESIDENT—

The Governor has just signed and approved Senate bills entitled,

A bill to be entitled,

An act in relation to the swamp and overflowed lands in the county of Rankin.

An act entitled,

An act for the benefit and protection of Odd Fellows Rest, Aberdeen Mississippi.

Mr. Davis, from the committee on Enrolled Bills, made the following report,

MR. PRESIDENT—

The committee on Enrolled bills have examined a bill,
An act to amend the tenth chapter of the Revised Code,
entitled,

An act in relation to the State Library,

On motion of Mr. McCord,

The Senate took a recess until two o'clock.

TWO O'CLOCK P. M.

The Senate met pursuant to adjournment,

The following message was received from the House of Representatives, through their Clerk, Mr. Brougher :

MR. PRESIDENT—

The House of Representatives have adopted the following resolution, in which the concurrence of the Senate is desired :

Resolved, (The Senate concurring,) That Jacob Bardin and John Walker, members of the House, be allowed mileage during the adjourned session, to reimburse them for expenses incurred during protracted sickness, and that the Speaker be instructed to sign a certificate for the same.

Mr. Thomson moved,

To take up the House message just received.

When Mr. Neill moved,

To lay the resolution on the table.

Upon which a division was called.

When eight voted for and nine against the motion,

Which was therefore lost.

The question occurring upon agreeing to the resolution,

When it was adopted.

The following message was received from his Excellency the Governor, through his Private Secretary Mr. Campbell,

EXECUTIVE OFFICE, }
 Jackson, Miss., Feb. 11, 1860. }

MR. PRESIDENT—

The Governor has just signed and approved Senate bills entitled,

An act to amend the tenth chapter of the Revised Code, entitled,

An act in relation to the State Library.

An act amendatory of the law of descents and distributions.

An act to change the county of Bolivar to the third District for the election of Judges of the High Court of Errors and Appeals.

An act to authorize the Board of Police of Issaquena county to regulate and fix the the per diem and mileage of its members.

An act to incorporate the Liberty and Magnolia Railroad Company.

An act to make appropriations for the support of the Mississippi State Lunatic Asylum.

An act to provide for the removal of old buildings and nuisances from the public grounds, and other purposes.

An act to amend an act to provide for the payment of interest on the Chickasaw School Fund, and for other purposes.

An act to appropriate \$10,000 to the repair and improvement of the public buildings and grounds.

Mr. Neill offered a resolution notifying the House that the Senate had appointed a committee informing the Governor that the Legislature was ready to adjourn if he had no further communication to make to the Legislature.

The following message was received from the House of Representatives, through their Clerk, Mr. Brougher,

MR. PRESIDENT—

I am instructed to inform the Senate that the House of Representatives is now ready to adjourn *sine die*, having accomplished the business before them.

MR. PRESIDENT—

The House concurred in the joint resolution of the Senate appointing a joint committee to wait on the Governor and inform him that the two Houses are now ready to adjourn, and has appointed as said committee on the part of the House,

Messrs. Lake, Backstrom, Smylie, Sanders and Weathersby.

Mr. Davis made the following report,

MR. PRESIDENT—

The joint committee appointed by the two Houses to wait upon his Excellency the Governor to inform him that the two Houses had disposed of all the business before them, and to be informed if he had any further communication to make to either branch of the Legislature, have discharged the duty imposed on them, and have been informed by his Excellency that he has no further communication to make to either branch of the Legislature.

Mr. Starke moved,

That the Senate do now adjourn *sine die*.

Before putting which motion,

The President delivered the following appropriate, beautiful and impressive address :

SENATORS :—The resolution which I find on my table, so complimentary to me, as your presiding officer, is indeed gratifying to me ; for it has always been my highest aim to deserve and receive your approbation by a strict, faithful and impartial discharge of every duty devolving on me as your presiding officer, and I have only to regret that my ability has not equaled my ambition.

In taking my leave of you on this occasion, I do so with feelings that may be better imagined than described ; for I am admonished that it is, in all probability, the last time that I will meet and mingle with you as a Senator upon this floor.

How can I convey to you, Senators, in proper terms, my grateful feelings for the kindness and forbearance extended to the many errors I, no doubt, have committed as your presiding officer.

You have been kind, very kind, and indulgent to me, and I can only return to you my assurance that I shall ever remember that kindness and indulgence, and treasure them as long as memory last or emotions swell the human heart.

During the long period I have served as a Senator on this floor I have always cultivated feelings of kindness and respect for Senators ; and in retiring from the Senate it is not the least pleasant of my reflections that I have never intentionally wounded the feelings of any one, nor opposed the measures of any Senator where a sense of duty did not demand it at my hand.

It is with pleasure, mingled with regret, that I have looked forward to the period when I could relieve myself of the cares and anxieties of official position and official duty—pleasure to retire to the quiet and peaceful pursuits of private life, and exchange the excitement of politics for the quiet duties of a planter's home—regret, however, in terminating, even temporarily, my relations with Senators with whom a twelve year's intercourse has ripened into friendship—aye more, a respect and love for Senators which I trust may never be interrupted nor terminated only with my existence.

In conclusion, I beg to convey to you, Senators, and gentlemen,

my best wishes for your uninterrupted health and prosperity and a safe and speedy return to your homes and your families, and to impose on each and all of you the obligation never to pass near me without calling and receiving such hospitality as a quiet home and an open heart can give.

Again, tendering to you my acknowledgments for your kindness and the very flattering manner in which you have borne testimony to my impartiality as your presiding officer, it only remains for me to discharge the last duty devolving on me and declare the Senate adjourned and bid each and all of you a friendly farewell! The Senate stands adjourned *sine die*.